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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JESSE J. MONTIEL,)	1:11cv02145 DLB PC
)	
Plaintiff,)	ORDER DENYING PLAINTIFF’S
)	MOTION TO COMPEL
vs.)	
)	(Document 18)
YATES, et al.,)	
)	
Defendants.)	

Plaintiff Jesse J. Montiel (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on December 28, 2011.¹ Defendants Dr. R. Taher-Pour and Dr. Randolph Wilson have requested an extension of time, and their responsive pleading is due on June 24, 2013.

On June 5, 2013, Plaintiff filed a Motion to Compel Discovery in an attempt to obtain the addresses of the remaining three Defendants.

Plaintiff’s motion must be denied. First and foremost, it is the prisoner’s responsibility to provide the necessary information to the United States Marshall to effect service. Walker v. Summer, 14 F.3d 1415, 1421-1422. Plaintiff would therefore not be entitled to such discovery.

¹ Plaintiff consented to the jurisdiction of the United States Magistrate Judge on February 7, 2012.

1 Second, the status of service of the remaining three Defendants (Dr. Das R., Dr. Barry
2 Green and Dr. Wynn) is unknown at this time. A proof of service has not been filed and as of
3 now, nothing indicates that service on these Defendants has failed. If the summons is returned
4 unexecuted, the Court will issue an Order to Show Cause to Plaintiff.

5 Accordingly, Plaintiff's Motion to Compel is DENIED.

6
7 IT IS SO ORDERED.

8 Dated: June 22, 2013

9 /s/ Dennis L. Beck
10 UNITED STATES MAGISTRATE JUDGE