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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARRELL JUNIOR LESCALLETT,
Plaintiff,
v.
R. DIAZ, et al.,
Defendants.

Case No. 1:13-cv-01342-LJO-BAM (PC)
ORDER TO SHOW CAUSE WHY DOE DEFENDANTS SHOULD NOT BE DISMISSED AND THIS ACTION CLOSED
TWENTY-ONE (21) DAY DEADLINE

Plaintiff Darrell Junior Lescallett (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in the civil rights action under 42 U.S.C. § 1983.

On June 29, 2015, the Court found that Plaintiff’s second amended complaint stated a cognizable retaliation claim against Defendants Gipson, Bloomfield and Does Defendants regarding his identification as a 2-5 gang affiliate and placement on a modified program.¹ The Court ordered service of the second amended complaint on Defendants Gipson and Bloomfield, but notified Plaintiff that service on the Doe Defendants was not appropriate because the United States Marshal could not serve a Doe Defendant. The Court therefore ordered Plaintiff to provide the Court with written notice identifying the Doe Defendants with enough information to locate them for service of process within one-hundred twenty (120) days. (ECF No. 15.) Plaintiff failed

¹ All other claims and defendants were dismissed from this action on July 21, 2015. (ECF No. 18.)

1 to provide written notice to the Court identifying the Doe Defendants within the specified time
2 limit.

3 On March 31, 2017, the Court granted summary judgment in favor of Defendants Gipson
4 and Bloomfield, and referred the matter to the undersigned in order to address the unidentified
5 and unserved Doe Defendants. (ECF No. 31.)

6 Accordingly, within **twenty-one (21) days** from the date of service of this order, Plaintiff
7 shall show cause why the Doe Defendants should not be dismissed and this action closed.
8 Plaintiff may comply with this order by providing sufficient information for the United States
9 Marshal to identify and locate the Doe Defendants for service of process. Plaintiff's failure to
10 respond to this order will result in dismissal of the Doe Defendants, and this action will be closed
11 without further notice.

12 IT IS SO ORDERED.

13 Dated: April 5, 2017

14 */s/ Barbara A. McAuliffe*
15 UNITED STATES MAGISTRATE JUDGE

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