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2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF CALIFORNIA

4
5 GUILLERMO CRUZ TRUJILLO,

6 Plaintiff,

7 v.

8 GOMEZ, et al.,

9 Defendants.

1:14-cv-01370-EPG (PC)

ORDER ON PLAINTIFF'S MOTION
FOR EXTENSION OF TIME AND
MOTION FOR COURT ORDER
ALLOWING LIMITED DISCOVERY
(ECF NOS. 28 & 29)

ORDER FOR OFFICE OF THE
ATTORNEY GENERAL TO ADDRESS
RESPONSE TO SERVICE ON
DEFENDANT JUAREZ

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14 Guillermo Trujillo ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma*
15 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. On February 16, 2016,
16 Plaintiff filed the Third Amended Complaint. (ECF No. 17). The Court screened Plaintiff's
17 Third Amended Complaint pursuant to 28 U.S.C. § 1915A and found cognizable claims. (ECF
18 No. 19). After the service documents were sent to Plaintiff (ECF No. 21) and returned (ECF
19 No. 23), the Court ordered the United States Marshal Service ("the Marshal") to serve the
20 defendants (ECF No. 24).

21 The U.S. Marshal attempted to serve Defendant Juarez, but the summons was returned
22 unexecuted. (ECF No. 26). According to the Marshal, the California Department of
23 Corrections and Rehabilitation ("CDCR") informed the Marshal that defendant Juarez is no
24 longer employed at the CDCR and did not leave a forwarding address. (*Id.*). The Court
25 notified Plaintiff of this fact, and gave him 30 days to provide a valid address for defendant
26 Juarez. (ECF No. 27).

27 Plaintiff is now asking for an extension of that 30-day period (ECF No. 28), and for the
28 opportunity to conduct limited discovery so that he can get defendant Juarez's address from the

1 CDCR (ECF No. 29).

2 In the interest of preserving resources and maximizing efficiency, the Court will first
3 request the Office of the Attorney General to respond to Plaintiff's request for contact
4 information for defendant Juarez in order to avoid formal discovery. In the event that the
5 Office of the Attorney General does not provide sufficient information, the Court may grant
6 Plaintiff's request for a third party subpoena for all documents regarding Defendant Juarez's
7 contact information, which could include correspondence with Defendant, last known address,
8 contact information for tax and pension information, telephone number and other contact
9 information. (The Court recognizes that such documents may pose privacy issues, which
10 would necessitate *in camera* review or sealing of documents.)

11 Therefore, the Office of the Attorney General shall respond to this request with any
12 information that it has regarding Defendant Juarez's current whereabouts. If the Office of the
13 Attorney General has concerns about providing defendant Juarez's personal information to
14 Plaintiff, it may submit the information under seal so that the Court can arrange for service.

15 Accordingly, based on the foregoing, it is ORDERED that:

- 16 1. Plaintiff has sixty (60) days from the date of service of this order to complete
17 and return the summons, the USM-285 form, and two (2) copies of the
18 endorsed Third Amended Complaint;
- 19 2. Within twenty-one (21) days from the date of service of this order, the Office
20 of the Attorney General shall provide Plaintiff and the Court with any contact
21 information it or the CDCR has access to for defendant Juarez;¹ and
- 22 3. The Clerk of Court is directed to serve Supervising Deputy Attorney General
23 Monica Anderson with:
 - 24 i. A copy of this order; and

27 ¹ If the Office of the Attorney General has concerns about providing defendant
28 Juarez's personal information to Plaintiff, it may submit the information *in camera* or under
seal such that the Court can issue a relevant summons.

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ii. A copy of Plaintiff's motion for a court order allowing limited discovery (ECF No. 29).

IT IS SO ORDERED.

Dated: December 22, 2016

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE