

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GUILLERMO CRUZ TRUJILLO,

Plaintiff,

v.

GOMEZ, et al.,

Defendants.

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

ORDER FOR PLAINTIFF TO
COMPLETE AND RETURN SERVICE
DOCUMENTS

(ECF NO. 30)

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

The U.S. Marshal attempted to serve defendant Juarez, but the summons was returned unexecuted. (ECF No. 26). According to the Marshal, the California Department of Corrections and Rehabilitation ("CDCR") informed the Marshal that defendant Juarez is no longer employed at the CDCR and did not leave a forwarding address. (*Id.*). The Court notified Plaintiff of this fact, and gave him 30 days to provide a valid address for defendant Juarez. (ECF No. 27). Plaintiff then asked for an extension of that 30-day period (ECF No. 28), and for the opportunity to conduct limited discovery so that he could get defendant Juarez's address from the CDCR (ECF No. 29). The Court granted Plaintiff an extension, but instead of ordering formal discovery at that time, provided the Office of the Attorney General with an opportunity to submit any contact information it or the CDCR had for defendant Juarez

1 in lieu of formal document discovery. (ECF No. 30). The Office of the Attorney General
2 submitted a response (ECF No. 37), as well as address information for *in camera* review. The
3 Court has reviewed the address information, and it appears that the Office of the Attorney
4 General has provided the address for defendant Juarez. However, the Office of the Attorney
5 General wishes to keep the address information confidential from the Plaintiff. The Court thus
6 provides the following order to allow for service while maintaining the confidentiality of Mr.
7 Juarez's address, unless and until it becomes relevant to the dispute.

8 According, it is HEREBY ORDERED THAT:

- 9 1. Within thirty (30) days from the date of this order, Plaintiff shall complete the
10 Notice of Submission of Documents and submit the completed Notice to the
11 Court with the following documents:
- 12 a. A completed summons, omitting the address. The address will be filled
13 in once it has been submitted to the Court;
 - 14 b. A completed USM-285 form, omitting the address; The Address will be
15 filled in once it has been submitted to the Court; and
 - 16 c. Two (2) copies of the endorsed Third Amended Complaint filed on
17 February 16, 2016;
- 18 2. Plaintiff need not attempt service on defendant Juarez and need not request
19 waiver of service. Upon receipt of the above-described documents, the Court
20 will direct the United States Marshal to serve defendant Juarez pursuant to
21 Federal Rule of Civil Procedure 4 without payment of costs; and
- 22 3. Failure to comply with this order may result in defendant Juarez being
23 dismissed from this action without prejudice.

24 IT IS SO ORDERED.

25 Dated: January 17, 2017

26 /s/ Eric P. Grosjean
27 UNITED STATES MAGISTRATE JUDGE
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