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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
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9 BRIAN CAPUTO,
10 Plaintiff,
11 v.
12 GONZALEZ,
13 Defendant.

Case No. 1:15-cv-01008-EPG (PC)
ORDER REQUIRING STATUS REPORT
(ECF NO. 54)
TWENTY-ONE DAY DEADLINE

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16 On June 29, 2017, the United States Marshals Service (“USMS”) returned the summons
17 unexecuted as to Deputy Gonzalez because Deputy Gonzalez was no longer employed by Kern
18 County and did not leave a forwarding address. (ECF No. 49). On July 7, 2017, the Court
19 granted Plaintiff’s motion for the issuance of a subpoena upon Kern County Sherriff’s Office
20 by the USMS without prepayment of costs so that Plaintiff could request documents regarding
21 the full name and last known address of Deputy Gonzalez. (ECF No. 51).

22 After Plaintiff completed and returned the subpoena and Form USM-285 (ECF No. 52),
23 the Court directed the USMS to serve the subpoena. (ECF No. 53). On August 16, 2017, the
24 USMS filed a certificate of service, which stated that the subpoena was personally served on
25 August 10, 2017. (ECF No. 54).

26 It has now been two months since Kern County Sheriff’s Office was served with the
27 subpoena, and Plaintiff has not requested additional service documents so that he can complete
28 and return them with an updated address for Deputy Gonzalez, filed a motion to compel, or

1 filed a request for additional discovery.

2 Accordingly, IT IS ORDERED that Plaintiff has twenty-one days from the date of
3 service of this order to provide a status report regarding his efforts to obtain the full name and
4 last known address of Deputy Gonzalez.

5 Failure to comply with this order may result in the dismissal of this action.

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7 IT IS SO ORDERED.

8 Dated: October 11, 2017

/s/ Eric P. Groj
9 UNITED STATES MAGISTRATE JUDGE

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