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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JONATHAN L. DELL,  
Plaintiff,  
v.  
R. ESPINOZA et al.,  
Defendants.

**CASE No. 1:16-cv-1769-MJS (PC)**  
**ORDER FOR SERVICE DOCUMENTS**  
**FOR DEFENDANT ESPINOZA**  
**THIRTY-DAY DEADLINE**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the jurisdiction of a magistrate judge.

This action proceeds on Plaintiff’s Complaint on an Eighth Amendment excessive force claim against Corcoran State Prison (“CSP”) Correctional Officers Espinoza and Roque, a failure to protect claim against Sergeant James, and a deliberate indifference claim against Dr. Barnett and Lt. Martinez. (ECF Nos. 1, 9.) The incidents underlying this action occurred at CSP in August 2014.

Recently, a summons was returned unexecuted as to CO Espinoza. (ECF No. 16.) Per the unexecuted summons, this Defendant was “[t]erminated in 2005.” Since Plaintiff must provide correct information about this Defendant for service of process, Plaintiff will be directed to submit new information for Defendant Espinoza within thirty

1 days. Failure to do so may result in the dismissal of Plaintiff's claim against this  
2 Defendant pursuant to Federal Rule of Civil Procedure 4(m).

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The Clerk of the Court shall mail Plaintiff a USM-285 form;
- 5 2. Within thirty days from the date of this order, Plaintiff must submit the  
6 completed form and provide new instructions for service of process upon  
7 Defendant Espinoza; and
- 8 3. Failure to comply with this Order or to show good cause for failure will result in  
9 the dismissal of Defendant Espinoza from this action.

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11 IT IS SO ORDERED.

12 Dated: May 16, 2017

*/s/ Michael J. Seng*  
13 UNITED STATES MAGISTRATE JUDGE

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