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If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).

Accordingly, it is HEREBY ORDERED that Plaintiff shall proceed on his Eighth Amendment medical indifference claim against Dr. Peikar, Ms. Mettri, Ms. Fuentes-Arce, and Mr. Tyson. Plaintiff is directed to serve the Defendants within the time-frame prescribed by Rule 4(m).¹

IT IS SO ORDERED.

Dated: June 12, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

¹ Plaintiff previously sought the assistance of the United States Marshal to effectuate service on the Defendants. (ECF No. 9.) In denying his motion, the Court informed Plaintiff that he was not automatically entitled to the Marshal's assistance since he is not proceeding in forma pauperis. (ECF No. 12.) Instead, he was required to meet either a "reasonableness" or "good cause" standard for the court to appoint a marshal for service. He provided no basis for the appointment and so failed to meet either standard. In any renewed motion, Plaintiff must assert a sufficient rationale for the U.S. Marshal's assistance in serving the Defendants.