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7	UNITED STATES DISTRICT COURT	
8 9	EASTERN DISTRICT OF CALIFORNIA	
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10		Case No. 1:17-cv-01311-LJO-SKO (PC)
11	CHARLES B. JONES,	ORDER FOR PLAINTIFF TO PROVIDE
12	Plaintiff,	ADDITIONAL INFORMATION TO IDENTIFY DEFENDANT JOHN DOE #3 FOR USM SERVICE OF PROCESS
13	V.	(Docs. 24, 25)
14	J. GARCIA, et al.,	
15 16	Defendants.	21-DAY DEADLINE
10		
18	Plaintiff has stated cognizable retaliation claims in violation of the First Amendment	
19	against several Defendants, including John Doe #3. (Docs. 13, 22.) To proceed against	
20	Defendant John Doe #3, however, Plaintiff must provide sufficient identifying information to	
21	accomplish service of process. Plaintiff was given opportunity on the USM-285 Form to provide	
22	the information he possessed from which to ascertain the identity of Defendant John Doe #3	
23	(Docs. 22, 23.) Although Plaintiff complied, the United States Marshal Service was unable to	
24	locate Defendant John Doe #3 for service of process. (Doc. 23.)	
25	Plaintiff is given another opportunity to provide all additional information he believes	
26	may assist in identifying and/or locating John Doe #3. If Plaintiff has any records reflecting the	
27	name or signature of John Doe #3, he must submit this information to assist with service efforts.	
28	Plaintiff must also provide information su	ich as the place, date, and time that he encountered John

Doe #3, the place and location of John Doe #3's normal shifts (or when and where before or after
the events alleged in this action Plaintiff encountered him), and all identifying attributes that he
can recall such as gender, hair color, height, weight, race/ethnicity, and any other distinguishing
characteristics.

If Plaintiff believes the identity of John Doe #3 can be obtained from documents already 5 6 submitted, he should submit a statement identifying the information by specific location on a given page, as the Court is unable to extrapolate any such information. Plaintiff is cautioned and 7 encouraged to submit everything he has available in response to this order. If John Doe #3 cannot 8 be identified, he cannot be served, thereby resulting in a recommendation that he be dismissed 9 from this action. Fed. R.Civ. P. 4(m). Conversely, if Plaintiff has no additional information 10 regarding John Doe #3's true identity, but believes he may be able to identify John Doe #3 via 11 discovery, he must file a statement setting this forth. 12

Accordingly, it is **HEREBY ORDERED** that <u>within 21 days</u> from the date of this order, Plaintiff **SHALL** provide all information available to him to identify Defendant John Doe #3 for service of process, or a statement that he has no further information and whether Plaintiff believes that John Doe #3's identity may be revealed via discovery. <u>Plaintiff's failure to comply with</u> <u>the Court's order will result in a recommendation that John Doe #3 and all claims against</u> <u>him be dismissed</u>.

20 IT IS SO ORDERED.

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21 Dated: March 25, 2019

151 Shaila K. Oha

UNITED STATES MAGISTRATE JUDGE

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