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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BARRY LEE BROOKINS,	)	Case No. 1:17-cv-01675-AWI-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER DISCHARGING ORDER TO SHOW
v.	)	CAUSE
	)	
M. HERNANDEZ, et al.,	)	[ECF No. 21]
	)	
Defendants.	)	
	)	
	)	
	)	

Plaintiff Barry Lee Brookins is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

This action is proceeding on Plaintiff’s claim for cruel and unusual punishment against Defendants officer M. Hernandez, lieutenant E. Williams, captain Williams, officer L. Sanchez, officer Galvenson, officer Schleesman, sergeant Crane, sergeant Salvado, and S. Marsh.

On October 24, 2018, the directed the United States Marshal to serve Defendants without prepayment of costs.

The United States Marshal was not able to locate or identify Defendant Salvado, and service was returned un-executed on October 29, 2018. The following information was provided by the Marshal in the remarks of the unexecuted summons: “SATF is unable to identify an employee by this name or any name close to it.” (ECF No. 20.) Therefore, on November 1, 2018, the Court ordered Plaintiff to show

1 cause why Defendant Salvado should not be dismissed, without prejudice, pursuant to Federal Rule of  
2 Civil Procedure 4(m).

3 On November 26, 2018, Plaintiff filed a response to the order to show cause. (ECF No. 22.) In  
4 a separate order, the Court has issued a second order directing service of Defendant Salvado by the  
5 United States Marshal based on the information provided by Plaintiff. Accordingly, it is HEREBY  
6 ORDERED that the November 1, 2018 order to show cause is discharged.

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8 IT IS SO ORDERED.

9 Dated: November 27, 2018



UNITED STATES MAGISTRATE JUDGE

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