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

MARK SHANE THOMPSON,)	Case No.: 1:18-cv-00125-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER GRANTING PLAINTIFF’S MOTION FOR
v.)	EXTENSION OF TIME TO PROVIDE
)	ADDITIONAL INFORMATION FOR SERVICE
A. GOMEZ, et al.,)	ON DEFENDANT RODRIGUEZ
)	
Defendants.)	[ECF No. 18]
)	

Plaintiff Mark Shane Thompson 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 against Defendants A. Gomez, E. Weiss, Y. Sazo, C. Gray, J. Busby, Rodriguez, and J. Doe Nos 1 and 2 for excessive force.

The United States Marshal was not able to locate or identify Defendant Rodriguez, and service was returned un-executed on April 30, 2018. The following information was provided by the Marshal in the remarks of the unexecuted summons: “The CDC is unable to identify a Rodriguez working at the facility during the time specified.” (ECF No. 16.)

On May 8, 2018, the Court issued an order for Plaintiff to show cause why Defendant Rodriguez should not be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (ECF No. 17.)

///

1 On May 23, 2018, Plaintiff filed a request to extend the time to serve Defendant Rodriguez
2 until discovery is open. (ECF No. 18.)

3 While Plaintiff may rely on service by the United States Marshal, “a plaintiff may not remain
4 silent and do nothing to effectuate such service. At a minimum, a plaintiff should request service upon
5 the appropriate defendant and attempt to remedy any apparent service defects of which [he] has
6 knowledge.” Rochon v. Dawson, 828 F.2d 1107, 1110 (9th Cir. 1987). The Court will not and cannot
7 grant Plaintiff an unspecified amount of time to serve Defendant Rodriguez. At this point, discovery
8 is not yet open and Plaintiff has not identified what, if any, discovery can be propounded to assist in
9 obtaining the necessary information. Therefore, at this juncture, Plaintiff should provide any and all
10 information he has to assist the United States Marshal in serving Defendant Rodriguez. Accordingly,
11 it is HEREBY ORDERED that Plaintiff is granted thirty (30) days from the date of service of this
12 order to provide additional information to assist the United States Marshal with service on Defendant
13 Rodriguez.

14
15 IT IS SO ORDERED.

16 Dated: May 24, 2018



UNITED STATES MAGISTRATE JUDGE