1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 MARK SHANE THOMPSON, Case No.: 1:18-cv-00125-LJO-SAB (PC) 12 Plaintiff, ORDER DIRECTING CLERK OF COURT TO FILE WORK HISTORY RECORDS UNDER SEAL 13 v. 14 A. GOMEZ, et al., 15 Defendants. 16 17 Plaintiff Mark Shane Thompson is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. 18 19 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. 20 On April 27, 2018, the directed the United States Marshal to serve Defendants without 21 prepayment of costs. 22 23 The United States Marshal was not able to locate or identify Defendant Rodriguez, and service 24 was returned un-executed on April 30, 2018. Therefore, on May 8, 2018, the Court ordered Plaintiff to show cause why Defendant Rodriguez should not be dismissed, without prejudice, pursuant to 25 Federal Rule of Civil Procedure 4(m). 26 27 Plaintiff filed a response to the order to show cause on June 7, 2018, and provided additional

information to assist with the identification of Defendant Rodriguez. (ECF No. 22.)

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On July 12, 2018, the United States Marshal indicated that Defendant Rodriguez could not be identified and service was returned un-executed. Attached to the USM-285 service form is email correspondence between the United States Marshal and the litigation coordinator California Correctional Institution, along with employee work history documentation of individuals with the last name Rodriguez. Local Rule 141.

On the basis of good cause, the Court finds that the email correspondence and work history documentation shall be filed under seal to protect the privacy of non-party individuals. Accordingly, it is HEREBY ORDERED that the USM-285 form shall be filed on the docket, and the email correspondence and work history documents shall be filed <u>under seal</u>.

I IT IS SO ORDERED.

Dated: **June 14, 2018**

UNITED STATES MAGISTRATE JUDGE