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

CHESTER RAY WISEMAN,)	Case No.: 1:18-cv-00126-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S MOTION
v.)	FOR DISCOVERY AS MOOT
)	
MARTIN D. BITER, et al.,)	[ECF No. 18]
)	
Defendants.)	
)	
)	

Plaintiff Chester Ray Wiseman is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion for discovery, filed May 31, 2018.

This action is proceeding on Plaintiff’s deliberate indifference to a serious medical need against Defendants Romero, Swanson, R. Rivera, M. Pomoa and R. Perez.

On May 3, 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 Defendants Swanson, Romero, and M. Pomoa, and service was returned un-executed on May 3, 2018. Therefore, on May 8, 2018, the Court ordered Plaintiff to show cause why Defendants Swanson, Romero, and M. Pomoa should not be dismissed, without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

///

1 Plaintiff filed a response to the order to show cause on May 23, 2018. (ECF No. 16.) In his
2 response, Plaintiff provided additional information to assist with the identification of Defendants
3 Swanson, Romero, and M. Pomoa. (Id.) Therefore, on May 30, 2018, the Court issued a second order
4 directing service by the United States Marshal. (ECF No. 17.)

5 In the current motion of discovery, Plaintiff has essentially requested discovery of the same
6 information he previously provided to attempt re-service of Defendants Swanson, Romero, and M.
7 Pomoa. Indeed, the instant motion is a verbatim copy of Plaintiff's May 23, 2018, response to the
8 Court's order to show cause. (ECF No. 16.) Accordingly, Plaintiff's present motion for discovery is
9 denied as moot.

10
11 IT IS SO ORDERED.

12 Dated: June 4, 2018



UNITED STATES MAGISTRATE JUDGE