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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VICTOR WYATT,

Plaintiff,

No. CIV S-05-2025 LKK EFB P

vs.

CITY OF CHICO POLICE DEPT.,
et al.,

Defendants.

ORDER

_____ /

Plaintiff is a prisoner without counsel seeking relief for alleged civil rights violations. *See* 42 U.S.C. § 1983. On November 20, 2007, the court screened plaintiff’s complaint and found that it stated cognizable claims against defendants Lara, Winnings, Palmer, and Gama. On December 13, 2007, plaintiff submitted the documents necessary for service against Lara, Winnings, and Palmer, but not for Gama. On December 17, 2007, plaintiff filed a letter stating that he has had difficulty obtaining an address for service on defendant Gama.

Good cause appearing, plaintiff is granted a period of 90 days in which to obtain information about where this defendant may be served with process and to file documents for service with the court. Plaintiff may seek such information through discovery, the California Public Records Act, California Government Code §§ 6250, *et seq.*, or any other means available but must proceed with haste because Fed. R. Civ. P. 4(m) requires an action be dismissed as to a

1 defendant not served within 120 days after filing the complaint unless the time is enlarged based
2 upon a demonstration of good cause. If plaintiff's access to the required information is denied or
3 unreasonably delayed, plaintiff may seek judicial intervention.

4 Accordingly, it is ORDERED that:

5 1. The Clerk of the Court shall mail plaintiff one form USM-285 and a copy of the
6 pleading filed March 19, 2007.

7 2. Within 90 days from the date this order is served, plaintiff may submit the attached
8 Notice of Submission of Documents with a completed form USM-285 providing instructions for
9 service of process upon defendant Gama and one copy of the pleading provided to plaintiff.

10 3. Failure to provide new instructions for service of process upon defendant Gama within
11 the time allowed or show good cause for such failure will result in a recommendation that this
12 action be dismissed as to that defendant.

13 Dated: January 31, 2008.

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15 EDMUND F. BRENNAN
16 UNITED STATES MAGISTRATE JUDGE
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IN THE UNITED STATES DISTRICT COURT
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VICTOR WYATT,

Plaintiff,

No. CIV S-05-2025 LKK EFB P

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CITY OF CHICO POLICE DEPT.,
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Defendants.

NOTICE OF SUBMISSION
OF DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____.

- One completed summons
- _____ completed USM-285 forms
- _____ copies of the _____
Complaint/Amended Complaint

DATED:

Plaintiff