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

GERALD LEE MILLER, JR.,

Plaintiff,

No. CIV S-07-1646 LKK EFB P

vs.

JANNE WOODFORD, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff is a prisoner proceeding *in forma pauperis* and without counsel in a civil rights action.

The United States Marshal has returned process directed to defendants Adams and Segerstrom unserved because “not at this address, not in the system.” Plaintiff must provide new information about where this defendant may be served with process. 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 defendant not served within 120 days after filing the complaint unless the time is enlarged based upon a demonstration of good cause. If plaintiff’s access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

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Accordingly, it is ORDERED that:

1. The Clerk of the Court shall mail plaintiff two form USM-285 and a copy of the pleading filed March 23, 2009.

2. Within 60 days from the date this order is served, plaintiff may submit the attached Notice of Submission of Documents with two completed form USM-285 providing instructions for service of process upon defendants Adams and Segerstrom and three copies of the pleading provided to plaintiff.

3. Failure to provide new instructions for service of process upon defendants Adams and Segerstrom within the time allowed or show good cause for such failure will result in a recommendation that this action be dismissed as to those defendants.

DATED: February 4, 2010.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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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

Two completed USM-285 forms

Three copies of the March 23, 2009 \_\_\_\_\_  
Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff