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

AZHAR LAL,

Plaintiff,

No. CIV S-07-2060 GEB EFB P

vs.

T. FELKER, et al.,

Defendants.

ORDER

_____ /

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

On June 24, 2009, the United States Marshal returned the standard forms for process receipt and return which were directed to defendants Barter and Cooper unserved. The return forms for these defendants bear three identical notations. The first states that the complaint and requests for waivers were mailed on April 9, 2009. Dckt. 47. The second notation is dated May 11, 2009, and states, "per facility - none." *Id.* The third is dated June 22, 2009, and states, "per CDC locator - none." *Id.* Plaintiff must provide new information about where these defendants may be served with process. Plaintiff may seek such information through the California Public Records Act, California Government Code §§ 6250, *et seq.*, or any other means available.

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1 However, he must proceed with haste because Fed. R. Civ. P. 4(m) requires an action be
2 dismissed as to a defendant not served within 120 days after filing the complaint unless the time
3 is enlarged based upon a demonstration of good cause. If plaintiff's access to the required
4 information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

5 Accordingly, it is ORDERED that:

6 1. The Clerk of the Court shall mail plaintiff two forms USM-285 and a copy of the
7 pleading filed May 5, 2008.

8 2. Within 60 days from the date this order is served, plaintiff must submit the attached
9 Notice of Submission of Documents with completed forms USM-285 providing instructions for
10 service of process upon defendants Barter and Cooper and two copies of the pleading provided
11 to plaintiff.

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

15 DATED: July 7, 2009.

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17 EDMUND F. BRENNAN
18 UNITED STATES MAGISTRATE JUDGE
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IN THE UNITED STATES DISTRICT COURT
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AZHAR LAL,

Plaintiff,

No. CIV S-07-2060 GEB EFB P

vs.

T. FELKER, et al.,

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
- Two copies of the May 5, 2008 _____
Amended Complaint

DATED:

Plaintiff