

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

JOHN KENT,

Plaintiff,

No. CIV S-07-2361 MCE EFB PS

vs.

PLACER COUNTY DISTRICT
ATTORNEY, et al.,

ORDER

Defendants.

_____/

Plaintiff was ordered on November 24, 2008, to show cause why this case should not be dismissed for his failure to comply with the court’s earlier order, issued on July 23, 2008. That earlier order directed plaintiff to provide the U.S. Marshal with all information necessary to effect service of process on the remaining defendants.¹

Plaintiff timely filed a response wherein he asked for additional time to provide the requisite documents to the U.S. Marshal. He also requested reconsideration of the court’s determination that this action should not proceed against the California State Licensing Board or

¹ The court previously found that the complaint states a claim only as to the city defendants’ alleged issuance of baseless code violations. Accordingly, the court ordered that the action will proceed only as to defendants the City of Sacramento, Code Enforcement Department; the Sacramento City Manager’s Office, the Sacramento Police Department, Melody Lane, Guss Pina, Jason Contreis, Josh Pino, Ron O’Connor, Max Fernandez, Brian Ramsey, Caroline McNorton, Benjamin Rolison, and Ricardo Vargas. July 23, 2008 Order, at p. 6.

1 Placer County defendants.

2 IT IS HEREBY ORDERED that:

3 1. The order to show cause issued November 24, 2008, is DISCHARGED.

4 2. For good cause shown, Fed. R. Civ. P. 6(b)(1), the deadline within which plaintiff
5 may submit service documents to the U.S. Marshal is EXTENDED to fifteen (15) days after the
6 date this order is filed. No further extensions of time will be authorized; and

7 3. For the reasons set forth in this court's July 23, 2008 order, plaintiff's request for
8 reconsideration of the court's finding that neither the California State Licensing Board or Placer
9 County are appropriate defendants in this action, is DENIED.

10 IT IS SO ORDERED.

11 DATED: January 28, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE