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

JOHN KENT,

Plaintiff,

No. CIV S-07-2361 MCE EFB PS

vs.

CITY OF SACRAMENTO, et al.,

ORDER

Defendants.

_____ /
This case, in which plaintiff is proceeding *pro se* and *in forma pauperis*, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). *See* 28 U.S.C. §§ 636(b)(1), 1915. On December 30, 2009, the court issued a status (pretrial scheduling) order herein which set forth various deadlines and which addressed the status of the defendants who have not appeared in this action: Melody Lane, Brian Ramsey, and Caroline McNorton. Dckt. No. 46 at 2, 3. The order required plaintiff “to dismiss those defendants, pursue default against them, or seek further service upon them if service was improper (by providing a proper address for service).” *Id.* Plaintiff was required to file any such dismissal, request for entry of default, or request for further service within twenty-eight days. *Id.* at 3.

On January 25, 2010, plaintiff filed a response to the December 30, 2009 status order, which requested further service by the U.S. Marshal on Melody Lane, Brian Ramsey, and

1 Caroline McNorton, and provided updated addresses (and contact phone numbers) for each of
2 those defendants. Dckt. No. 50. In accordance with plaintiff's January 25, 2010 filing, the U.S.
3 Marshal will be directed to re-attempt service on those defendants at the updated addresses.

4 Accordingly, good cause appearing, IT IS HEREBY ORDERED that:

5 1. The Clerk of the Court is directed to serve on the United States Marshal, 501 "T"
6 Street, Sacramento, CA 95814 (tel. 916-930-2030):

- 7 (a) four copies of this order;
- 8 (b) a copy of plaintiff's January 25, 2010 filing, Dckt. No. 50;
- 9 (c) a copy of the summons issued in this action;
- 10 (d) a completed USM-285 form for Melody Lane, 6771 Mt. Murphy Rd.,
11 Coloma, CA 95613;
- 12 (e) a completed USM-285 form for Brian Ramsey, 1120 Augusta Way,
13 Roseville, CA 95661;
- 14 (f) a completed USM-285 form for Caroline McNorton, 360 Morey Ave.,
15 Sacramento, CA 95838;
- 16 (g) four copies of plaintiff's second amended complaint, Dckt. No. 8;
- 17 (h) three copies of this court's July 23, 2008 scheduling order, along with the
18 attached forms providing notice of the magistrate judge's availability to
19 exercise jurisdiction for all purposes and providing notice of the court's
20 voluntary dispute resolution program, Dckt. No. 11; and
- 21 (I) three copies of this court's December 30, 2009 status (pretrial scheduling)
22 order, Dckt. No. 46.

23 2. The Marshal shall serve process, along with copies of this court's July 23, 2008
24 scheduling order and related documents, this court's December 30, 2009 status (pretrial
25 scheduling) order, and this order, on Melody Lane, Brian Ramsey, and Caroline McNorton at the
26 addresses set forth above. Such service shall be completed within 90 days of receipt of the

1 required information from the Clerk of Court, without prepayment of costs. *The Marshal shall,*
2 *within 10 days thereafter, file a statement with the court that said documents have been served.*
3 If the Marshal is unable, for any reason, to effect service of process on any defendant, the
4 Marshal shall promptly report that fact, and the reasons for it, to the undersigned.

5 SO ORDERED.

6 Dated: January 28, 2010.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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