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

LEROY BENJAMIN,

No. CIV S-08-0995-WBS-CMK-P

Plaintiff,

vs.

ORDER

CAROLYN A. LAWSON,

Defendant.

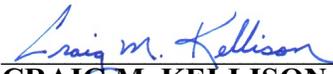
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Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On January 27, 2009, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Lawson was returned unexecuted because she is no longer employed by the California Department of Corrections and Rehabilitation (“CDCR”) and she is not on the CDCR locator database. Plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through the California Public Records Act, Cal. Gov’t. Code § 6250, et seq., or other means available to plaintiff. If access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention. Once additional information sufficient to effect service is obtained, plaintiff shall notify the court whereupon plaintiff will be forwarded the forms

1 necessary for service by the U.S. Marshal. Plaintiff is cautioned that failure to effect service may
2 result in the dismissal of unserved defendants. See Fed. R. Civ. P. 4(m). Because this case
3 proceeds as against defendant Lawson only, failure to effect service on defendant will result in
4 dismissal of the entire action.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff shall promptly seek
6 additional information sufficient to effect service on defendant Lawson and notify the court
7 within 60 days.

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9 DATED: February 5, 2009

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11 **CRAIG M. KELLISON**
12 UNITED STATES MAGISTRATE JUDGE
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