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

RODERICK L. MITCHELL,

No. CIV S-08-2284-CMK-P

Plaintiff,

vs.

ORDER

ROXAN SANDERS, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On April 24, 2009, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Whitney was returned unexecuted, after having been forwarded twice, because “unable to locate - not at facilities per CDC locator.” Plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through discovery, 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 necessary for service by the U.S. Marshal. Plaintiff is

1 cautioned that failure to effect service may result in the dismissal of unserved defendants. See
2 Fed. R. Civ. P. 4(m).

3 Accordingly, IT IS HEREBY ORDERED that plaintiff shall promptly seek
4 additional information sufficient to effect service on any unserved defendants and notify the court
5 once such information is ascertained.

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DATED: October 13, 2009



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE