

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

ALAN BECKHAM,

Plaintiff,

v.

AGENT BELL and AGENT DOE,

Defendants.

NO. CV-08-2550-EFS (PC)

**ORDER DISMISSING PLAINTIFF'S
COMPLAINT WITH PREJUDICE**

Plaintiff Alan Beckham filed a Complaint alleging various constitutional violations under 42 U.S.C. § 1983. (Ct. Rec. [12](#).) The Court directed service of Plaintiff's Complaint on February 27, 2009. (Ct. Rec. [13](#).) Although service was accomplished on Defendant Mercado, the summons was returned unexecuted on Defendant Bell because Plaintiff did not provide a valid address. (Ct. Rec. [23](#).) On February 10, 2010, the Court dismissed Plaintiff's claims against Defendant Mercado with prejudice and directed Plaintiff to submit two copies of the Complaint and a completed summons and U.S. Marshal form for each unserved Defendant within thirty days. (Ct. Rec. 57.) Plaintiff requested an extension of time to comply, and on March 5, 2010, the Court denied that request. (Ct. Rec. 61.) Because Plaintiff did not submit the required documents several months later, the Court dismisses this lawsuit with prejudice under Federal Rule of Civil Procedure 41 for failure to prosecute.

ORDER * 1

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Plaintiff's Complaint (Ct. Rec. 12) is **DISMISSED with**
3 **prejudice.**

4 2. All pending motions are **DENIED as moot.**

5 3. Judgment is **ENTERED** in Defendants' favor on all claims.

6 4. The Clerk of the Court shall close this file.

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter
8 this Order and provide a copy to Plaintiff and counsel.

9 **DATED** this 28th day of May 2010.

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12 S/ Edward F. Shea
EDWARD F. SHEA
13 United States District Judge

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