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

GARY R. XAVIER,

Plaintiff,

No. 2:09-cv-0783 LKK CKD P

vs.

M. FRENCH, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983.

On July 9, 2012, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Holland was returned unserved because “no record of individual has ever worked there.” Plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through discovery, the California Public Records Act, Calif. 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.

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1                   Accordingly, IT IS HEREBY ORDERED that:

2                   1. The Clerk of the Court is directed to send to plaintiff one USM-285 form,  
3 along with an instruction sheet and a copy of the amended complaint filed September 1, 2011;

4                   2. Within sixty days from the date of this order, plaintiff shall complete and  
5 submit the attached Notice of Submission of Documents to the court, with the following  
6 documents:

- 7                   a. One completed USM-285 form for defendant Holland;
- 8                   b. Two copies of the endorsed complaint filed September 1, 2011; and
- 9                   c. One completed summons form (if not previously provided)

10 or show good cause why he cannot provide such information.

11 Dated: October 17, 2012

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14 CAROLYN K. DELANEY  
15 UNITED STATES MAGISTRATE JUDGE

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Plaintiff,

No. 2:09-cv-0783 LKK CKD P

vs.

M. FRENCH, et al.,

Defendants.

NOTICE OF SUBMISSION  
OF DOCUMENTS

\_\_\_\_\_ /

Plaintiff hereby submits the following documents in compliance with the court's  
order filed \_\_\_\_\_:

\_\_\_\_\_ completed summons form

1 completed USM-285 form

2 copies of the September 1, 2011  
Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff