

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

JOHN WESLEY WILLIAMS,

Plaintiff,

No. CIV S-09-0784 GGH P

vs.

CALIFORNIA DEPT. OF  
CORRECTIONS and  
REHABILITATION, et al.

ORDER

Defendants.

\_\_\_\_\_/

Plaintiff is a state prisoner proceeding pro se in this action under 42 U.S.C. § 1983. On February 8, 2012, this court directed plaintiff to submit his service documents, comprised of: (1) one summons; (2) fourteen USM forms; and (3) fifteen copies of the complaint. On May 7, 2012, this court granted plaintiff's motion for an extension of time to submit his service documents.

On May 10, 2012, the court received from the plaintiff an incomplete set of documents, along with an envelope from the United States Postal Service which reads that the plaintiff's envelope was damaged in transit to the court. Specifically, the court received only eleven of the USM forms, and eleven copies of the complaint. Missing from the received documents were USM service forms for defendants Holmes, Cantu, and Mendoza.

1           Because the United States Postal Service has advised the court that the Postal  
2 Service damaged the plaintiff's envelope, it is impossible for the court to determine if plaintiff  
3 submitted an incomplete set of documents, or if plaintiff submitted a complete set which was  
4 somehow truncated when the envelope was damaged. In the interest of moving the case forward,  
5 the court will prepare the additional USM forms for defendants Holmes, Cantu, and Mendoza,  
6 using the information in plaintiff's complaint to determine these defendants' employment address  
7 for service.

8           A review of the plaintiff's complaint reflects that defendants Holmes, Cantu, and  
9 Mendoza were Correctional Officers or Lieutenants at California State Prison - Sacramento  
10 ("CSPS"). The court will accordingly prepare USM forms for each of these defendants to be  
11 served at CSPS.<sup>1</sup>

12           If plaintiff objects to the court's preparation of the USM forms, or if plaintiff is  
13 aware of a better address for service for these defendants, plaintiff shall so notify the court within  
14 14 days of the filing date of this order. Plaintiff is advised that, if he does object, or if he notifies  
15 the court that he is aware of a better service address, the court will provide plaintiff with  
16 additional USM forms so that plaintiff may prepare the USM forms.

17           In addition, a review of the plaintiff's submitted USM forms reveals that his  
18 address has changed to: Salinas Valley State Prison, P.O. Box 1050, Soledad, California, 93960.  
19 The Clerk shall be directed to update the plaintiff's address of record to the Salinas Valley State  
20 Prison address.

21           In accordance with the above, IT IS HEREBY ORDERED that:

22           1. The Clerk of the Court shall prepare USM-285 forms for the following  
23 defendants: B. Holmes, Cantu, and Mendoza.

24 \\\

---

25  
26           <sup>1</sup> The court will also make additional copies of the complaint for service.

