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

GREGORY C. BONTEMPS,

Plaintiff,

No. CIV S-09-2115 LKK EFB P

vs.

SOTAK, et al.

Defendants.

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. The United States Marshal has returned process directed to defendant Sotak unserved with a notation indicating that CDCR does not have any employee or doctor with the last name of "Sotak." Dckt. No. 31. Accordingly, plaintiff must provide new information, such as a first name, or an alternate spelling of defendant's last name, so that this defendant may be served with process. Plaintiff may seek such information through discovery, the California Public Records Act, California Government Code §§ 6250, *et seq.*, or any other means available but must proceed with haste because Fed. R. Civ. P. 4(m) requires an action be dismissed as to a defendant not served within 120 days after filing the complaint unless the time is enlarged based upon a demonstration of good cause. If plaintiff's access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

1 Accordingly, it is ORDERED that:

2 1. The Clerk of the Court shall mail plaintiff one form USM-285.

3 2. Within 60 days from the date this order is served, plaintiff may return the completed
4 form USM-285, providing new instructions for service of process upon defendant Sotak.

5 3. Failure to provide new instructions for service of process upon defendant Sotak within
6 the time allowed or show good cause for such failure will result in a recommendation that
7 defendant Sotak be dismissed from this action.

8 DATED: February 28, 2012.

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10 EDMUND F. BRENNAN
11 UNITED STATES MAGISTRATE JUDGE
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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANNY MURPHY COSTON,

Plaintiff,

No. CIV S-10-2009 EFB P

vs.

ANDREW NANGALAMA, et al.,

Defendants.

NOTICE OF SUBMISSION
OF DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____.

One completed USM-285 forms
Two copies of the July 28, 2010
Complaint

DATED:

Plaintiff