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

RONALD DAVENPORT,

Plaintiff,

No. CIV S-09-3091 GEB EFB P

vs.

BEN LEE, et al.,

Defendants.

ORDER

\_\_\_\_\_/

Plaintiff is a prisoner proceeding *in forma pauperis* and without counsel in a civil rights action. The United States Marshal has returned process directed to defendant Sahota unserved, with notations indicating that “Dr. P. Sahota” is not employed at Folsom State Prison, and cannot be located in the California Department of Corrections and Rehabilitation database. *See* Dckt. No. 27. Accordingly, plaintiff must provide new information about where 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 hereby ORDERED that:

2           1. The Clerk of the Court shall mail plaintiff one form USM-285 and a copy of the July  
3 13, 2010 amended complaint.

4           2. Within 60 days from the date this order is served, plaintiff may submit the attached  
5 Notice of Submission of Documents with a completed form USM-285 providing new  
6 instructions for service of process upon defendant Sahota and two copies of the July 13, 2010  
7 amended complaint.

8           3. Failure to provide new instructions for service of process upon defendant Sahota  
9 within the time allowed or show good cause for such failure will result in a recommendation that  
10 this action be dismissed as to that defendant.

11 DATED: April 5, 2011.

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13 EDMUND F. BRENNAN  
14 UNITED STATES MAGISTRATE JUDGE  
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vs.

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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 7/13/10 Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff