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

MORRIS MESTER,

Plaintiff,

No. 2:09-cv-3307 KJM KJN P

vs.

B. REED,

Defendant.

ORDER

_____ /

Plaintiff is a prisoner who is proceeding in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. Defendant Reed is the sole remaining defendant.

On October 28, 2010, the court ordered the United States Marshal to serve the complaint on defendant. On February 16, 2011, process directed to defendant Reed was returned unserved because “unable to locate.” The USM-285 form was also marked:

11/19/10 Per facility -- not employed
2/15/11 Per CDCL -- unable to locate

(Dkt. No. 63.) 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. Plaintiff is cautioned that if he is unable to locate defendant Reed, the court may be required to dismiss defendant

1 Reed based on untimely service of process. Fed. R. Civ. P. 4(m).

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The Clerk of the Court is directed to send to plaintiff one USM-285 form,
4 along with an instruction sheet and a copy of the complaint filed August 17, 2009;

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


8 a. One completed USM-285 form for defendant Reed;

9 b. Two copies of the endorsed complaint filed August 17, 2009; and

10 c. One completed summons form (if not previously provided)

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

12 DATED: November 7, 2011

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15 KENDALL J. NEWMAN
16 UNITED STATES MAGISTRATE JUDGE

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

MORRIS MESTER,

Plaintiff,

No. 2:09-cv-3307 KJM KJN P

vs.

MILLER AND REED,

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 forms

2 copies of the August 27, 2009
Complaint

DATED:

Plaintiff