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

KEVIN POPPEN,

Plaintiff,

No. 2:10-cv-0568 MCE JFM (PC)

vs.

LIONEL FOSTER, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a prisoner proceeding through counsel with a civil rights action pursuant to 42 U.S.C. § 1983.

On April 23, 2010, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Foster was returned unserved because no individual with the name provided is employed at Mule Creek State Prison, and no individual with the name provided is in the California Department of Corrections and Rehabilitation locator database. 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.

Accordingly, IT IS HEREBY ORDERED that:

1 1. The Clerk of the Court is directed to send to counsel for plaintiff one USM-285
2 form, along with an instruction sheet and a copy of the complaint filed March 10, 2010;

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

- 6 a. One completed USM-285 form for defendant Foster;
- 7 b. Two copies of the endorsed complaint filed March 10, 2010; and
- 8 c. One completed summons form (if not previously provided)

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

10 DATED: October 4, 2010.

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13 UNITED STATES MAGISTRATE JUDGE

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IN THE UNITED STATES DISTRICT COURT
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KEVIN POPPEN,

Plaintiff,

No. 2:10-cv-0568 MCE JFM (PC)

vs.

LIONEL FOSTER, 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

_____ completed USM-285 form

_____ copies of the March 10, 2010
Complaint

DATED:

Plaintiff