

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

LUIS ARMENTERO,

Plaintiff,

No. 2: 10-cv-0965 KJN P

vs.

K.L. DICKINSON, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff is a state prisoner proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983.

On December 23, 2010, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Tanner was returned unserved because records indicated that he no longer worked at the California Medical Facility (“CMF”). In addition, records from the California Department of Corrections and Rehabilitation indicated that he was “not listed.” On April 6, 2011, the court granted plaintiff sixty days to provide additional information to serve defendant Tanner.

On April 18, 2011, plaintiff returned the forms necessary to purportedly effect service on defendant Tanner. However, the USM-285 form filled out by plaintiff contained the same address for defendant Tanner as did the previous USM-285 form submitted by plaintiff.

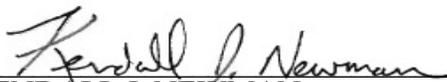
1 On May 6, 2011, the court granted plaintiff sixty days to provide additional information to serve  
2 defendant Tanner.

3 On June 16, 2011, plaintiff filed a letter with the court regarding service of  
4 defendant Tanner. Attached to plaintiff's letter is a letter dated May 25, 2011, addressed to  
5 plaintiff from the Litigation Coordinator at CMF. This letter states that plaintiff incorrectly  
6 identified defendant Tanner as "A. Tanner." This letter states that defendant Tanner is actually  
7 named "*K. Tanner.*"

8 Plaintiff is directed to complete the USM-285 form and other documents sent to  
9 him on May 6, 2011, for service of *K. Tanner* and then submit them to the court. Once the  
10 properly completed forms are received by the court, they shall be forwarded to the U.S. Marshal  
11 for service of defendant *K. Tanner*.

12 Accordingly, IT IS HEREBY ORDERED that within fourteen days of the date of  
13 this order, plaintiff shall submit the forms necessary for service of defendant *K. Tanner*.

14 DATED: June 21, 2011

15  
16   
17 KENDALL J. NEWMAN  
18 UNITED STATES MAGISTRATE JUDGE

19  
20  
21  
22  
23  
24  
25  
26  
arm965.ord