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

DEAVON E. TORRENCE,

Plaintiff,

No. 2:10-cv-1222 KJN P

vs.

F. HSEUH, et al.,

Defendants.

ORDER AND

ORDER TO SHOW CAUSE

_____ /

Plaintiff is a state prisoner proceeding without counsel and in forma pauperis. On November 10, 2010, the court determined that plaintiff’s complaint states a potentially cognizable claim for relief against defendant J. Champion. Service directed to defendant J. Champion was returned unexecuted, with an attached letter from the litigation coordinator at California Medical Facility (“CMF”). The letter was dated February 7, 2011, from B.C. Williams, CCII, Litigation Coordinator, CMF, regarding the waiver of service of summons and complaint, indicating that B.C. Williams had mailed the “RVR” to Ms. Champion, but no response was received. By order filed May 26, 2011, the U.S. Marshal was directed to contact B.C. Williams and obtain Ms. Champion’s mailing address so that the U.S. Marshal could execute personal service of process on J. Champion. The U.S. Marshal notified the court that the CMF litigation coordinator refused to divulge Ms. Champion’s mailing address.

1 Pursuant to this court's prior orders, if defendant did not return a waiver of service
2 of summons within sixty days from the date of mailing the request for waiver, the United States
3 Marshal was to personally serve process on defendant Champion, "command all necessary
4 assistance from the California Department of Corrections and Rehabilitation (CDCR) to execute
5 this order," and "maintain the confidentiality of all information provided by the CDCR pursuant
6 to" that order. (Dkt. Nos. 13 & 42.)

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Counsel for defendants shall show cause, within ten days, why sanctions
9 should not be imposed based on the litigation coordinator's interference with this court's orders;

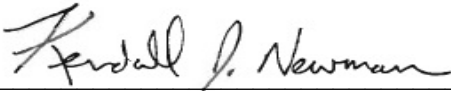
10 2. Counsel for defendants shall take all steps necessary to assist the United States
11 Marshal in obtaining the mailing address for service of process on defendant J. Champion, and
12 shall report to the court within ten days whether counsel has been able to provide a valid address
13 to the U.S. Marshal and, if not, why no address can be provided;

14 3. The Clerk of the Court is directed to serve a copy of the unexecuted summons
15 (dkt. no. 27), this court's May 26, 2011 order (dkt. no. 42), and a copy of the instant order, on
16 Supervising Deputy Attorney General Monica N. Anderson;

17 4. The Clerk of the Court is directed to serve a copy of the instant order on the
18 United States Marshal; and

19 5. The U.S. Marshal shall maintain the confidentiality of any address provided by
20 counsel for defendants or Supervising Deputy Attorney General Anderson. Should an address be
21 provided, the U.S. Marshal shall, upon receipt of that address, take all steps necessary to
22 personally serve defendant J. Champion in accordance with this court's May 26, 2011 order.

23 DATED: June 1, 2011

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25 _____
26 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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