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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

_____/

Plaintiff is a state prisoner proceeding without counsel. On June 2, 2011, defendants’ counsel was ordered to show cause why sanctions should not be imposed based on interference with this court’s orders for service of process. The February 7, 2011 letter concerning the unexecuted service was signed by B.C. Williams, CCII, Litigation Coordinator at California Medical Facility (“CMF”). (Dkt. No. 27.) On June 6, 2011, defendants’ counsel provided a declaration by Jennifer Weaver, litigation coordinator at California Medical Facility since February 22, 2011, stating that she had not been contacted by the U.S. Marshal’s office regarding the address of J. Champion. (Dkt. No. 47-2.) Sarah Lee, an Office Technician at CMF, assigned to assist Ms. Weaver, also provided a declaration stating that she had not been contacted by the U.S. Marshal’s office. (Dkt. No. 47-3.) Ms. Weaver and Ms. Lee are the only employees in the CMF litigation office. (Dkt. Nos. 47-2, 47-3.) Counsel for defendants also

1 provided a declaration stating that counsel alerted Ms. Weaver to the court's May 26, 2011 order,
2 informing Ms. Weaver that the U.S. Marshal's office would be contacting her to obtain J.
3 Champion's address. (Dkt. No. 47-1.) Defendants' counsel provided a copy of the email. (Dkt.
4 No. 47-1 at 5.) Defendants' counsel stated that a Special Investigator from the Office of Legal
5 Affairs was assigned to ascertain defendant Champion's most current address, and that counsel
6 would inform the court as soon as the address is provided to the U.S. Marshal.


7 Subsequently, on June 9, 2011, counsel filed a declaration stating the address for
8 defendant Champion was provided to the U.S. Marshal, and appended a copy of the confirmation
9 that the U.S. Marshal's office received the information. (Dkt. No. 48.)

10 Therefore, the order to show cause is discharged, and no sanctions are imposed.
11 The U.S. Marshal is directed to personally serve defendant J. Champion forthwith, in accordance
12 with this court's May 26, 2011 order.

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. The June 2, 2011 order to show cause is discharged;
15 2. The U.S. Marshal is directed to personally serve defendant J. Champion
16 forthwith, in accordance with this court's May 26, 2011 order; and
17 3. The Clerk of the Court is directed to serve a copy of this order on the U.S.
18 Marshal.

19 DATED: June 22, 2011

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22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE

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