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

BRADY K. ARMSTRONG,

Plaintiff,

No. 2: 11-cv-00965 GEB KJN P

vs.

SILVIA GARCIA, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

\_\_\_\_\_ /

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On March 1, 2012, the undersigned ordered the United States Marshal to serve defendants, including defendant Mangis.

On April 17, 2012, service as to defendant Mangis was returned unexecuted. On May 9, 2012, plaintiff was granted sixty days to provide additional information in order for the United States Marshal to serve defendant Mangis. Sixty days passed and plaintiff did not provide additional information for service of defendant Mangis.

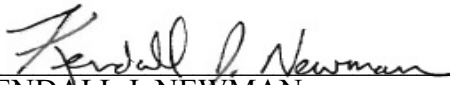
Because it does not appear that plaintiff can provide the United States Marshal with the information necessary for service of defendant Mangis, the undersigned will recommend that defendant Mangis be dismissed.

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1                   Accordingly, IT IS HEREBY RECOMMENDED that defendant Mangis be  
2 dismissed.<sup>1</sup>

3                   These findings and recommendations are submitted to the United States District  
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-  
5 one days after being served with these findings and recommendations, any party may file written  
6 objections with the court and serve a copy on all parties. Such a document should be captioned  
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the  
8 objections shall be filed and served within fourteen days after service of the objections. The  
9 parties are advised that failure to file objections within the specified time may waive the right to  
10 appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 DATED: November 20, 2012

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14 KENDALL J. NEWMAN  
15 UNITED STATES MAGISTRATE JUDGE

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25 <sup>1</sup> Moreover, even if plaintiff was provided with further opportunities and was able to  
26 accomplish service of defendant Mangis, for the reasons set forth in findings and  
recommendations filed concurrently herewith, the undersigned finds that plaintiff’s claims  
against all of the named defendants are, inter alia, barred by the applicable statute of limitations.