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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT BENYAMINI,  
Plaintiff,  
v.  
M.C. HAMMER, et al.,  
Defendants.

No. 2:11-cv-02317 TLN-AC P

ORDER

Plaintiff, who seeks relief pursuant to 42 U.S.C. § 1983, is proceeding pro se and in forma pauperis. On September 23, 2013, plaintiff filed a motion for judicial intervention in locating and serving defendants Juan, Lopez, and Reid (ECF 39). In said motion, plaintiff indicates that he has attempted to obtain the real names and addresses of defendants Juan, Lopez, and Reid through the Freedom of Information Act, but was unable to obtain this information due to his status as a convicted felon (ECF 39 at 2). A review of the court’s docket also reflects that the waiver of service for defendant Anderson was returned unserved based on the limited identifying information provided by the plaintiff (ECF 37).

Defendants’ counsel shall query the Department of Corrections and Rehabilitation to ascertain the whereabouts of defendants Juan, Lopez, Reid and Anderson. If these four defendants are still employed with the Department of Corrections or Rehabilitation or any other California state agency, counsel shall provide their business address to plaintiff. If counsel is

1 otherwise informed of the business address of defendants Juan, Lopez, Reid and Anderson,  
2 counsel shall provide the address to plaintiff. Defendants' counsel shall also inform the court  
3 whether counsel is willing to accept service of process on behalf of one or more of defendants  
4 Juan, Lopez, Reid and Anderson. In the event that counsel, after conducting a good faith inquiry,  
5 cannot ascertain the business address of these four defendants, counsel shall so inform the court.  
6 Defendants' counsel shall file and serve the appropriate response within twenty days of the file  
7 date of this order.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. Plaintiff's motion for judicial intervention is GRANTED.
- 10 2. Within twenty days from the date of this order, defendants' counsel is ordered to  
11 respond to plaintiff's motion indicating the results of their query to the Department of  
12 Corrections and Rehabilitation concerning the whereabouts of defendants Juan, Lopez,  
13 Reid and Anderson.

14 DATED: October 7, 2013

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16 ALLISON CLAIRE  
17 UNITED STATES MAGISTRATE JUDGE

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