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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK WEBSTER,

Plaintiff,

v.

J. WINDSOR, et al.,

Defendants.

No. 2:12-cv-2971-KJM-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. The United States Marshal has returned process directed to defendant Medina unserved, with a notation indicating that plaintiff’s documents for service were “not deliverable as addressed,” and that there was “no such person in the institution records.” ECF No. 17. Therefore, plaintiff must provide new information about how to locate defendant for service of process. Plaintiff must proceed with haste because Fed. R. Civ. P. 4(m) requires that an action be dismissed as to a defendant not served within 120 days after filing the complaint unless the time is enlarged based upon a demonstration of good cause. If plaintiff’s access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

Accordingly, it is ORDERED that:

- 1. The Clerk of the Court shall mail plaintiff a form USM-285.

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2. Within 30 days from the date this order is served, plaintiff must submit the attached Notice of Submission of Documents with the completed form USM-285 providing new instructions for service of process upon defendant Medina.

3. Failure to comply with this order within the time allowed or to show good cause for such failure will result in a recommendation that this action be dismissed as to defendant Medina.

Dated: October 2, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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NOTICE OF SUBMISSION OF
DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's order
filed _____:

1 completed USM-285 form

DATED:

Plaintiff