

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY GILLIAM,

Plaintiff,

v.

MA ELIZA CANGGAS GILLIAM, et al.,

Defendants.

No. 2:14-cv-02454-MCE-AC

ORDER

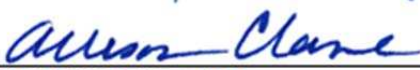
On December 9, 2014, plaintiff filed two (2) motions seeking the court's assistance in effecting service of process upon defendant Ma Eliza Canggag Gilliam. ECF Nos. 9 & 10. Plaintiff's motions allege that defendants J. Christina Alvarez Aulakh (erroneously sued as "J. Christina Alvarez Aulaki"), ECF No. 4, Debbie Sue Magistrado, Marsha A. McHugh, and James Robert Gilliam know the whereabouts of Defendant Canggag but have refused to reveal her location to plaintiff after repeated requests. ECF No. 9 at 1-2; ECF No. 10 at 1-2. The court construes plaintiff's motion as a motion for early discovery.¹ However, plaintiff's motion is not

¹ As a general rule, discovery proceedings take place only after the defendant has been served; however, in rare cases, courts have made exceptions, permitting limited discovery to ensue after filing of the complaint to permit the plaintiff to learn the identifying facts necessary to permit service on the defendant. See e.g., Gillespie v. Civiletti, 629 F.2d 637, 642 (9th Cir. 1980) (finding the district court abused its discretion in dismissing the case with respect to the John Doe defendants without requiring the named defendants to answer interrogatories seeking the names and addresses of the supervisors in charge of the relevant facilities during the relevant time period).

1 properly noticed, and therefore must be vacated. See Local Rule 230(b).

2 In accordance with the foregoing, IT IS HEREBY ORDERED that plaintiff's December
3 9, 2014, motions for court order for service of process, ECF Nos. 9 & 10, are vacated.

4 DATED: December 16, 2014

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE
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