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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY GOODS,
Plaintiff,
v.
JEFFERY McCUMBER, et al.,
Defendants.

No. 2:14-cv-2580 TLN KJN P

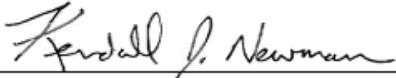
ORDER

Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. This action was stayed on July 11, 2017. On July 24, 2017, plaintiff filed a motion seeking to obtain information as to defendant Kemp’s whereabouts. Plaintiff avers that defendant Kemp has retired from the CDCR, and asks the court or the U.S. Marshal to request W-2 tax information or the address where Kemp’s state retirement checks are mailed from the state’s Human Resources Department or the CDCR hiring authority.

First, because this action is stayed, plaintiff’s motion is improperly-filed. Second, the court and the U.S. Marshal may not conduct discovery on behalf of plaintiff. Rather, plaintiff must seek this information through discovery from other defendants once the stay is lifted and they have appeared in the action. For these reasons, plaintiff’s motion is denied without prejudice to its renewal once the stay of this action has been lifted, a defendant has filed an answer, and the court has issued its discovery and scheduling order.

1 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion (ECF No. 39) is denied
2 without prejudice.

3 Dated: September 26, 2017

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6 KENDALL J. NEWMAN
7 UNITED STATES MAGISTRATE JUDGE

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