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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN FRATUS,

Plaintiff,

v.

MAZYCK, et al.,

Defendants.

No. 2:16-cv-0076-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 Lay, noting that Lay could not be located based on the information provided by plaintiff and that Lay is no longer employed by the California Department of Corrections and Rehabilitation. ECF No. 15. Therefore, plaintiff must provide new information about how to locate defendant Lay 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 90 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 unreasonably denied or 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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1 2. Within 30 days from the date this order is served, plaintiff must submit the attached
2 Notice of Submission of Documents with the completed form USM-285 providing new
3 instructions for service of process upon defendant Lay.

4 3. Failure to comply with this order or to show good cause for such failure will result a
5 recommendation that defendant Lay be dismissed from this action.

6 Dated: July 21, 2016.

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8 EDMUND F. BRENNAN
9 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

Screening Order:

- _____ completed summons form
- 1 completed forms USM-285 for defendant Lay
- _____ copies of the endorsed January 13, 2016 complaint

Plaintiff

Dated: