

1 Additionally, a motion under Rule 25(a)(1) must be served on all parties as provided under Rule 5
2 and upon persons not parties in the manner provided in Rule 4 for service of process. See Barlow
3 v. Ground, 39 F.3d 231, 232-34 (9th Cir. 1994).

4 Here, Plaintiff has not named the proper party, nor has Plaintiff provided proof of
5 service consistent with the requirements of Rule 4.

6 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for substitution,
7 ECF No. 79, is denied without prejudice.

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9 Dated: June 5, 2023



10 DENNIS M. COTA
11 UNITED STATES MAGISTRATE JUDGE

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