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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 JOHN F. FORDLEY,

12 Plaintiff,

13 v.

14 JOE LIZARRAGA, et al.,

15 Defendants.  
16

No. 2:16-cv-1985-MCE-EFB P

ORDER

17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42  
18 U.S.C. § 1983. The United States Marshal has returned process directed to defendant Moore,  
19 noting that “Officer Moore is deceased,”<sup>1</sup> and to defendant Andrea, noting that “per CDCR, [there  
20 is] no officer Andrea.” ECF No. 14. Therefore, plaintiff must provide new information about  
21 how to effect service of process. Plaintiff must proceed with haste because Fed. R. Civ. P. 4(m)  
22 requires that an action be dismissed as to a defendant not served within 120 days after filing the  
23 complaint unless the time is enlarged based upon a demonstration of good cause. If plaintiff’s  
24 access to the required information is unreasonably denied or delayed, plaintiff may seek judicial  
25 intervention.

26  
27 <sup>1</sup> No party has filed a formal statement noting death in accordance with Rule 25 of the  
28 Federal Rules of Civil Procedure, which establishes the procedure to be followed if a party dies  
during the pendency of an action. *See* Fed. R. Civ. P. 25; *Barlow v. Ground*, 39 F.3d 231, 233  
(9th Cir. 1994).

1 Accordingly, it is ORDERED that:

2 1. The Clerk of the Court shall mail plaintiff two forms USM-285.

3 2. Within 30 days from the date this order is served, plaintiff may submit the attached  
4 Notice of Submission of Documents with the completed forms USM-285 providing new  
5 instructions for service of process upon defendants Moore and Andrea.

6 3. Failure to comply with this order or to show good cause for such failure will result in a  
7 recommendation that this action be dismissed as to defendants Moore and/or Andrea.

8 Dated: November 30, 2016.

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10 EDMUND F. BRENNAN  
11 UNITED STATES MAGISTRATE JUDGE  
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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN F. FORDLEY,	No. 2:16-cv-1985-MCE-EFB P
Plaintiff,	
v.	<u>NOTICE OF SUBMISSION OF</u>
JOE LIZARRAGA, et al.,	<u>DOCUMENTS</u>
Defendants.	

Plaintiff hereby submits the following documents in compliance with the court’s order  
filed \_\_\_\_\_:

2 completed USM-285 forms

DATED:

\_\_\_\_\_  
Plaintiff