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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WALTER SHANE LANGSTON,  
Plaintiff,  
v.  
TYLER, Correctional Officer,  
Defendant.

No. 2:16-cv-2358 GEB AC P

ORDER

Plaintiff is a state prisoner who is proceeds pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On February 1, 2017, the court directed the United States Marshal to serve the summons and complaint on sole defendant Correctional Officer Tyler. Process directed to defendant Tyler at the California Medical Facility was returned unserved with the notation, “Per LO [Litigaton Officer] at facility, they are unable to determine who C/O Tyler is.” ECF No. 17. Plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through discovery, the California Public Records Act, California Government Code § 6250 et seq., or other means available to plaintiff. If access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.


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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to send plaintiff another blank USM-285 form, along with an instruction sheet and a copy of the endorsed complaint filed October 3, 2016;
2. Within thirty (30) days after the filing date of this order, plaintiff shall complete and submit to the court the attached Notice of Submission of Documents, together with the following documents:
  - a. One newly completed USM-285 form for defendant Tyler; and
  - b. Two copies of the endorsed complaint filed October 3, 2016.<sup>1</sup>
3. Failure to timely provide the identified documents will result in a recommendation that this action be dismissed without prejudice.

DATED: March 2, 2017

  
\_\_\_\_\_  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Plaintiff previously submitted the completed summons form, which the court forwarded to the United States Marshal.

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FOR THE EASTERN DISTRICT OF CALIFORNIA

WALTER SHANE LANGSTON,  
Plaintiff,  
v.  
TYLER, Correctional Officer,  
Defendants.

No. 2:16-cv-2358 GEB AC P

NOTICE OF SUBMISSION OF  
DOCUMENTS

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

- \_\_\_\_\_ One completed USM-285 form for defendant Tyler
- \_\_\_\_\_ Two copies of the endorsed complaint filed October 3, 2016

\_\_\_\_\_ Date

\_\_\_\_\_ Plaintiff