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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOUGLAS PIPER,
Plaintiff,
v.
HARVEYS CASINO, et al,
Defendants.

No. 2:16-cv-02374-GEB-CKD (PS)

ORDER

Defendants City of South Lake Tahoe, South Lake Tahoe Police Department, and Officer Hounsell filed a motion to dismiss plaintiff’s second amended complaint on June 26, 2017 (ECF No. 25), which came on regularly for hearing on September 20, 2017. Pro se plaintiff Douglas Piper appeared on behalf of himself. Helen Burkart appeared telephonically on behalf of defendants.

At the hearing, Ms. Burkart asserted that Officer Hounsell is deceased. On May 23, 2017, City Attorney Thomas Watson acknowledged receipt of plaintiff’s second amended complaint and waived service on behalf of Officer Hounsell. (ECF No. 23 at 3.) On the service of process receipt, the U.S. Marshals Service noted “per City Attorney, Officer Hounsell died in Oct. 2015.” The court did not receive any formal notification regarding Officer Hounsell’s status.


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Accordingly, IT IS HEREBY ORDERED that:

Defendants' shall file a statement of death pursuant to Federal Rule of Civil procedure 25(a)(1), along with a copy of Officer Hounsell's death certificate, which may be redacted if appropriate, within fourteen (14) days of this order.

Dated: September 22, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE