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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH M. BELL,
Plaintiff,
v.
CITY OF VALLEJO, et al.,
Defendants.

No. 2:17-cv-0949 GEB KJN P

ORDER

By an order filed May12, 2017, the court ordered plaintiff to either file an amended complaint or complete and return to the court, within thirty days, the USM-285 forms necessary to effect service of the original complaint on defendants Potts and De Jesus. (ECF No. 4.) Thirty days passed and plaintiff did not respond to the court order. Accordingly, on June 22, 2017, the undersigned recommended that this action be dismissed. (ECF No. 6.)

On July 10, 2017, plaintiff filed a motion for an extension of time to file a response to the June 22, 2017 findings and recommendations. (ECF No. 7.) On July13, 2017, the undersigned granted plaintiff until July 28, 2017 to file objections. (ECF No. 8.)


On July 24, 2017, the July 13, 2017 order was returned unserved. On August 18, 2017, plaintiff filed a notice of change of address, containing his new address. (ECF No. 10.) In the notice of change of address, plaintiff also requests a thirty days extension of time in order to obtain counsel. (Id.)

1 Because plaintiff intends to prosecute this action, the June 22, 2017 findings and
2 recommendations are vacated. Plaintiff is granted thirty days to comply with the May 12, 2017
3 order, i.e., either file an amended complaint or return the forms necessary to effect service.
4 Failure to comply with this order will result in a recommendation of this action. If plaintiff
5 obtains counsel during the next thirty days, he shall notify the court.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The June 22, 2017, findings and recommendations (ECF No. 6) are vacated;
- 8 2. Plaintiff is granted thirty days from the date of this order to either file an amended
9 complaint or return the forms necessary for service; failure to comply with this order will result in
10 a recommendation of dismissal of this action.

11 Dated: August 25, 2017

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14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE

14 bell0949.36(3)