UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS SNOWDEN, III,

Plaintiff,

v.

ORDER

M. YULE, et al.,

Defendants.

Plaintiff is a state prisoner incarcerated under the authority of the California Department of Corrections and Rehabilitation (CDCR) who proceeds pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. This action proceeds on plaintiff's First Amended Complaint against defendants Yule, Wong and Housley. On October 17, 2019, Deputy Attorney General (DAG) LeeAnn Whitmore filed waivers of service on behalf of defendants Yule and Wong. ECF Nos. 37-8.

Service of process has not been made on defendant Housley. On August 13, 2019, the court directed CDCR to serve all defendants electronically. ECF No. 26. On September 18, 2019 a CDCR representative informed the court that defendant Housley had "separated from state unreachable." ECF Nos. 33. On September 24, 2019, the court directed plaintiff to provide additional information to serve defendant Housley. ECF No. 34. In response, plaintiff submitted a USM-285 service form directed to defendant's Housley's last place of employment, CDCR's

Mule Creek State Prison. ECF No. 35. However, CDCR has informed the court that defendant Housley in no longer employed within the agency.

This court will make the following singular effort to obtain additional service information for defendant Housley. If this effort proves futile, plaintiff must attempt to obtain defendant Housley's service information on his own, e.g., pursuant to a request under the California Public Records Act, Calif. Govt. Code § 6250 et seq.

DAG Whitmore is directed to inquire with the California Department of Human Resources and the California Personnel Board in an effort to ascertain the whereabouts of defendant Housley. If this inquiry shows that defendant is employed with another California state agency, defense counsel shall provide defendant's business address both to plaintiff and to the court. If counsel obtains only defendant Housley's personal address, it may be filed with the court pursuant to a sealing request and order. In the event that defense counsel, after conducting a good faith inquiry, cannot ascertain any current address for defendant Housley, counsel shall so inform the court in writing, setting forth the steps that were taken. Defense counsel shall file and serve the appropriate response within twenty-one (21) days after the filing date of this order.

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UNITED STATES MAGISTRATE JUDGE

IT IS SO ORDERED.

DATED: October 24, 2019