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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD ARCHULETA,

Plaintiff,

vs.

INDERJIT GREWAL, et. al.,

Defendants.

No. C 10-02367 JW (PR)

NOTICE OF COMMENCEMENT OF 90-DAY SUBSTITUTION PERIOD;  
INSTRUCTIONS TO CLERK

Plaintiff Richard Archuleta filed a pro se complaint under 42 U.S.C § 1983 alleging that medical personnel at the Correctional Training Facility (“CTF”) in Soledad, California, were deliberately indifferent to his serious medical needs. Doc #1. On September 23, 2011, defendants notified that court that mail addressed to plaintiff had been returned to them marked “Deceased.” On October 26, 2011, defendants served Plaintiff’s successor, Ms. Beland Rand (a.k.a. Bellin Archuleta) with a statement of fact of death.

Ms. Rand is hereby notified that the service of the statement of death commences the 90-day period for substitution motions set forth in Federal Rule of Civil Procedure 25(a)(1). **If any of plaintiff’s successors or representatives, including Ms. Rand, wish to continue this action, they must file a substitution motion, substituting**

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**themselves for plaintiff in this action, by February 24, 2012.**

Rule 25(a)(1) provides that when a party dies and the claim is not extinguished, the deceased party's successors may file a motion for substitution of the proper party to replace plaintiff. Fed. R. Civ. P. 25(a)(1). The substitution motion must be filed within 90 days after service of a statement of death. Id.

The Clerk is ordered to mail a copy of this notice to Ms. Beland Rand a.k.a. Bellin Archuleta, at 818 Marvelle Lane #D, Green Bay WI 54304.

IT IS SO ORDERED.

DATED: December 15, 2011

  
\_\_\_\_\_  
JAMES WARE  
United States District Chief Judge

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