

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVION DAVIS,  
Plaintiff,  
v.  
GUDINO,  
Defendant.

Case No. [17-cv-03474-WHO](#) (PR)

**ORDER DIRECTING UNITED STATES MARSHAL TO IMMEDIATELY SERVE UNSERVED DEFENDANT OR SHOW CAUSE WHY SERVICE HAS NOT BEEN ACCOMPLISHED**

United States District Court  
Northern District of California

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The United States Marshal is directed to immediately serve the unserved defendant (Gudino), or he shall return the summons to the Clerk with an explanation why defendant has not been served.

Plaintiff filed this pro se civil rights action under 42 U.S.C. § 1983 against his jailors at Salinas Valley State Prison. I ordered service of the complaint on defendant Gudino on August 25, 2017, the Clerk issued a summons on August 28, and the Marshal acknowledged receipt of the summons on September 14. (Dkt. Nos. 7, 7-1, 7-2, 8, and 9.)

However, the Marshal has not yet effectuated service, returned the summons executed or unexecuted, informed the Court why the summons has not been executed, or otherwise indicated the status of his service efforts. The Clerk has repeatedly contacted the Marshal regarding service, but to no avail.

The Clerk shall send a copy of this order to the Marshal forthwith.

**IT IS SO ORDERED.**

**Dated:** March 13, 2018

  
WILLIAM H. ORRICK  
United States District Judge