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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ARTHUR RODRIGUEZ,

No. C 05-5068 SBA (PR)

Plaintiff,

**ORDER DIRECTING UNITED STATES MARSHAL TO PERSONALLY SERVE DEFENDANT F. NINO PURSUANT TO FRCP 4(e)(2)**

v.

M. S. EVANS, et al.,

Defendant.

\_\_\_\_\_ /

This Order concerns the matter of service upon Defendant F. Nuno, identified by Plaintiff as a correctional officer at Salinas Valley State Prison (SVSP).

Good cause appearing therefor, the United States Marshal is hereby ORDERED to attempt to effect personal service upon Defendant Nuno. The United States Marshal shall serve Defendant Nuno "personally" or serve an agent of Defendant Nuno "authorized by appointment or by law to receive service of process." Fed. R. Civ. P. 4(e)(2).

The Clerk shall provide the United States Marshal with the necessary summons and copies of: (1) the complaint (docket no. 1) as well as copies of all attachments thereto; and (2) a copy of this Order. The United States Marshal shall attempt personal service at that address within **fourteen (14) days**. The Clerk shall include on the summons form, USM 285, the following special instructions:

Pursuant to Rule 4(e)(2), the United States Marshal shall serve Correctional Officer F. Nuno "personally" or serve an agent of Correctional Officer F. Nuno "authorized by appointment or by law to receive service of process." Fed. R. Civ. P. 4(e)(2). The address for such service shall be at Wasco State Prison, 701 Scofield Avenue, Wasco, CA 93280.

IT IS SO ORDERED.

DATED: 1/26/09

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

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5  
6 RODRIGUEZ,  
7 Plaintiff,

Case Number: CV05-05068 SBA

**CERTIFICATE OF SERVICE**

8 v.

9 EVANS et al,  
10 Defendant.

11  
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,  
Northern District of California.

13 That on January 27, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
in the Clerk's office.

16  
17 Joseph Arthur Rodriguez K66400  
18 California Correctional Institution  
P.O. Box 1902  
19 Tehachapi, CA 93581

20 Dated: January 27, 2009

21 Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk