

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

3 LOUIS BRANCH,

No. C 11-01977 SBA (PR)

4 Plaintiff,

**ORDER GRANTING EXTENSION OF  
 TIME FOR PLAINTIFF TO FILE PROOF  
 OF SERVICE OR TO SHOW CAUSE  
 WHY CLAIMS AGAINST UNSERVED  
 NAMED DEFENDANTS SHOULD  
 NOT BE DISMISSED**

5 v.

6 WARDEN AYERS, et al.,

7 Defendants.  
 8 \_\_\_\_\_/


9 Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983.  
 10 On September 16, 2011, the Court issued an "Order to Show Cause Why Claims Against Unserved  
 11 Defendants Should Not Be Dismissed." The Court directed Plaintiff, who paid the filing fee in this  
 12 matter, to either provide the Court with proof of service of the summons and complaint upon the  
 13 named Defendants against whom he alleges his claims, or otherwise show cause why the complaint  
 14 should not be dismissed without prejudice as to each unserved Defendant pursuant to Rule 4(m) of  
 15 the Federal Rules of Civil Procedure. (Sept. 16, 2011 Order at 1-2.)

16 Plaintiff has filed a request for a ninety-day extension of time to show proof that he has  
 17 served the named Defendants, or to show cause why the claims against the unserved named  
 18 Defendants should not be dismissed from this action without prejudice. Having read and considered  
 19 Plaintiff's request, and good cause appearing,

20 IT IS HEREBY ORDERED that Plaintiff's request for an extension of time is GRANTED.  
 21 The time in which Plaintiff may either provide the Court with proof of service on the named  
 22 Defendants, or show cause why the claims against the unserved named Defendants should not be  
 23 dismissed from this action without prejudice, will be extended up to and including **January 16,**  
 24 **2012.** Failure to do so by the new deadline shall result in the dismissal of all claims against the  
 25 unserved named Defendants without prejudice. This Order terminates Docket no. 5.

26 IT IS SO ORDERED.

27 DATED: 11/15/11

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 SAUNDRA BROWN ARMSTRONG  
 United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LOUIS BRANCH,  
Plaintiff,

v.

AYERS et al,  
Defendant.

Case Number: CV11-01977 SBA

**CERTIFICATE OF SERVICE**

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

That on November 18, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Louis Branch B-17786  
Correctional Training Facility  
P.O. Box 689  
Soledad, CA 93960

Dated: November 18, 2011

Richard W. Wiekling, Clerk  
By: LISA R CLARK, Deputy Clerk