

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

4
5 GEROD ANTONIO HARRISON,

No. C 12-00963 YGR (PR)

6 Plaintiff,

**ORDER DIRECTING PLAINTIFF TO
PROVIDE REQUIRED INFORMATION
NECESSARY TO IDENTIFY
DEFENDANTS A. MEZA, PEREZ, J.
VASQUEZ, AMBRIZ, AND A. VASQUEZ**

7 vs.

8 A. HEDGPETH, et al.,

9 Defendants.

10 Plaintiff filed the instant *pro se* civil rights complaint under 42 U.S.C. § 1983. The Court
11 issued an Order of Service, directing the United States Marshal to serve a summons and complaint
12 on Defendants.

13 Service has been ineffective on Defendants A. Meza, Perez, J. Vasquez, Ambriz, and A.
14 Vasquez. The Court has been informed that there are multiple prison officials with the same last
15 names as Defendants Perez and Ambriz at Salinas Valley State Prison (SVSP), and that there are
16 multiple prison officials with the same first initials and last names as Defendants A. Meza, J.
17 Vasquez, and A. Vasquez at SVSP.

18 As Plaintiff is proceeding *in forma pauperis* (IFP), he is responsible for providing the Court
19 with current addresses for all Defendants so that service can be accomplished. *See Walker v.*
20 *Sumner*, 14 F.3d 1415, 1422 (9th Cir. 1994); *Sellers v. United States*, 902 F.2d 598, 603 (7th Cir.
21 1990).

22 Pursuant to Federal Rule of Civil Procedure 4(m), if a complaint is not served within 120
23 days from the filing of the complaint, it may be dismissed without prejudice for failure of service.
24 When advised of a problem accomplishing service, a *pro se* litigant proceeding IFP must "attempt to
25 remedy any apparent defects of which [he] has knowledge." *Rochon v. Dawson*, 828 F.2d 1107,
26 1110 (5th Cir. 1987). If the marshal's office is unable to effectuate service through no fault of its
27 own, e.g., because Plaintiff failed to provide sufficient information or because the defendant is not
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1 where Plaintiff claims, and Plaintiff is informed, Plaintiff must seek to remedy the situation or face
2 dismissal. *See Walker*, 14 F.3d at 1421-22 (prisoner failed to show cause why prison official should
3 not be dismissed under Rule 4(m) because prisoner did not prove that he provided marshal with
4 sufficient information to serve official or that he requested that official be served); *see also Del*
5 *Raine v. Williford*, 32 F.3d 1024, 1029-31 (7th Cir. 1994) (prisoner failed to show good cause for
6 failing to timely effect service on defendant because plaintiff did not provide marshal with copy of
7 amended complaint until after more than 120 days after it was filed).

8 IT IS HEREBY ORDERED THAT within **thirty (30) days** of the date of this Order, Plaintiff
9 must provide the Court with the required information necessary to identify each of these Defendants,
10 such as their full first names or identification numbers. Failure to do so shall result in the dismissal
11 of all claims against these Defendants. If Plaintiff provides the Court with aforementioned required
12 information, service shall again be attempted. If service fails a second time, all claims against these
13 Defendants shall be dismissed.

14 IT IS SO ORDERED.

15 DATED: January 22, 2013


16 **YVONNE GONZALEZ ROGERS**
17 **UNITED STATES DISTRICT COURT JUDGE**

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