

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

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4 JEROME L. GRIMES,

No. C 12-3111 CW

5                                    Plaintiff,

ORDER GRANTING  
MOTION TO EXTEND  
TIME FOR SERVICE  
(Docket No. 35)

6                                    v.

7 OFFICER BARBER; OFFICER SMITH;  
8 OFFICER TANG; and BOARD OF  
9 TRUSTEES OF CALIFORNIA STATE  
UNIVERSITY,

10                                   Defendants.

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12                                   On February 27, 2013, the Court quashed service upon  
13 Defendants Officers Barber, Smith and Tang and extended the  
14 deadline for Plaintiff Jerome L. Grimes to serve these Defendants  
15 until March 29, 2013.

16                                   Plaintiff now moves for an additional sixty days in which to  
17 serve these Defendants. Plaintiff explains that he is currently  
18 being held in the trial competency program of the Napa State  
19 Hospital. Counsel for these Defendants was served with an  
20 electronic notice of the filing of Plaintiff's motion on March 12,  
21 2013.<sup>1</sup> As of the date of this Order, no opposition to Plaintiff's  
22 motion has been received.

23                                   Accordingly, the Court GRANTS Plaintiff's motion and extends  
24 time for service upon Officers Barber, Smith and Tang until May  
25 28, 2013. By that date, Plaintiff must file either proof of

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27                                   <sup>1</sup> Although Plaintiff has filed a certificate of service of  
28 the motion upon Defendants' counsel, Docket No. 34, the address at  
which he served her appears to be incorrect.

1 service upon each of these Defendants or a motion for additional  
2 time in which to serve them, in which he provides good cause for  
3 the failure to serve them within the allowed time period.

4 Plaintiff's failure to comply with the terms of this Order will  
5 result in dismissal of his claims for failure to prosecute.

6 Plaintiff shall not attempt to serve the summons and  
7 complaint upon any individual or entity that is not named in his  
8 complaint.

9 IT IS SO ORDERED.

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Dated: 3/20/2013

  
CLAUDIA WILKEN  
United States District Judge