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E-FILED - 10/20/08

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

STEVEN OWENS,)	No. C 06-4778 RMW (PR)
)	
Plaintiff,)	ORDER OF SERVICE UPON DEFENDANT
)	SCHLOSSER
v.)	
)	
A. PADILLA, et. al.,)	(Docket No. 29)
)	
Defendants.)	
_____)	

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against prison officials at the Correctional Training Facility (“CTF”) in Soledad, California. The Marshal returned the summons unexecuted as to defendant Lieutenant Schlosser because he was not located at CTF. On August 22, 2008, the court ordered, inter alia, plaintiff to provide Schlosser’s accurate and current location information to the court in order for the Marshal to effect service upon him, within 30 days or face dismissal of the claims against Schlosser pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. The court has received a copy of a letter from the Litigation Coordinator of San Quentin State Prison indicating that defendant Lieutenant Schlosser is now located there.

Accordingly, the court hereby orders as follows:

The clerk shall issue a summons and the United States Marshal shall serve, without prepayment of fees, a copy of the complaint (docket no. 1), all attachments thereto, and a copy of

1 this order upon defendant Lieutenant Dennis Schlosser at San Quentin State Prison in San
2 Quentin, California. The clerk shall also serve a copy of this order on plaintiff. **The clerk**
3 **shall issue the summons within 15 days of the date this order is filed, and the Marshal shall**
4 **serve the summons, in person if necessary, and return the summons to the court within 30**
5 **days of the date this order is filed. If the Marshal returns the summons unexecuted, the**
6 **summons shall include an explanation setting forth good cause for the lack of service.**

7 Defendant Schlosser shall file a dispositive motion on or before **December 22, 2008**, in
8 accordance with the May 23, 2007 service order and the September 23, 2008 scheduling order.
9 In the event Schlosser is represented by the California Attorney General, he may simply join in
10 any dispositive motion filed by the other defendants who have already appeared herein.

11 This order terminates Docket No. 29.

12 IT IS SO ORDERED.

13 DATED: 10/17/08



RONALD M. WHYTE
United States District Judge