

United States District Court
For the Northern District of California

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E-FILED - 12/8/09

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

GENE DANIELS,

No. C 08-3780 RMW (PR)

Plaintiff,

ORDER DISMISSING DEFENDANTS
LOBRETZ AND RICHARDS

v.

M. S. EVANS, Warden, et al.,

Defendants.

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. §1983. The court ordered service of plaintiff's amended complaint.

In a court order dated August 26, 2009, the court advised plaintiff that it was his responsibility to provide the court with information necessary to identify defendants Lobretz and Richards. In that order, the court directed plaintiff to provide such information to effectuate service, or face dismissal of the unserved defendants within sixty days. See Fed. R. Civ. P. 4(m). More than sixty days have passed, and plaintiff has not provided the court with any further information for defendants Lobretz and Richards, nor has he demonstrated "good cause" for such failure. See Walker v. Sumner, 14 F.3d 1415, 1421-22 (9th Cir. 1994).

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Accordingly, defendants Lobretz and Richards are DISMISSED without prejudice.

IT IS SO ORDERED.

DATED: 12/7/09



RONALD M. WHYTE
United States District Judge