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

ANGIE MARIE BRIONES,	)	No. C 10-3901 LHK (PR)
	)	
Plaintiff,	)	ORDER GRANTING
	)	PLAINTIFF'S APPLICATION
v.	)	FOR AN EXTENSION OF
	)	TIME; DENYING REQUEST
CORRECTIONAL OFFICER ROCHA,	)	FOR LEAVE TO CONDUCT
	)	LIMITED DISCOVERY
Defendant.	)	

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This *pro se* civil rights action was filed on August 31, 2010. Before the Court is Plaintiff's *ex parte* application for an extension of time to complete service, and motion for leave of Court to propound limited discovery. On March 21, 2011, the Court informed Plaintiff that the Marshal attempted service upon Defendant Rocha at the address given, however, Rocha was no longer employed by the California Department of Corrections and Rehabilitation ("CDCR"). The Court ordered Plaintiff to provide sufficient information regarding Defendant Rocha's current location within thirty days, reminding Plaintiff that although she may rely on service by the Marshal, she must provide sufficient information so that the Marshal may effect service, or face dismissal of her complaint.

Plaintiff's *ex parte* application requests an additional sixty days in which to provide such information. Plaintiff's request is **GRANTED**.

1 Plaintiff also requests permission to conduct discovery in order to ascertain the  
2 whereabouts of Defendant Rocha. It is unclear from whom Plaintiff wishes to seek discovery.  
3 Thus far, the only party who has appeared in this suit is Plaintiff herself. However, the Court  
4 assumes that Plaintiff wishes to seek information from the CDCR. The Court notes that the  
5 CDCR has previously informed the Court that Defendant Rocha is no longer employed within  
6 the CDCR, and the forwarding address it had for Defendant Rocha was no longer valid. (Docket  
7 No. 15.) Accordingly, Plaintiff's request for leave to conduct discovery is **DENIED**.

8 Because Plaintiff has not provided sufficient information to allow the Marshal to locate  
9 and serve the Defendant, Plaintiff must remedy the situation or face dismissal of his claims  
10 against said Defendant without prejudice. *See Walker*, 14 F.3d at 1421-22. Accordingly,  
11 Plaintiff must provide the Court with sufficient information regarding Defendant Rocha's  
12 accurate and current location such that the Marshal is able to effect service upon him. **Failure to**  
13 **do so within sixty days of the date this order is filed will result in the dismissal of the claims**  
14 **against Defendant Rocha, and thus dismissal of this action.**

15 This order terminates docket no. 18.

16 IT IS SO ORDERED.

17 DATED: 4/25/11

  
LUCY H. KOH  
United States District Judge

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