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

TIMOTHY HANNA,)
)
 Plaintiff,)
)
 v.)
)
 J. CHUDY, G. ELLIS, C. HAMMOND,)
 and D. FOSTON,)
)
 Defendants.)
 _____)

No. C 11-0862 LHK (PR)

ORDER GRANTING EXTENSION OF
TIME FOR PLAINTIFF TO FILE
PROOFS OF SERVICE

(Docket No. 24)

Plaintiff, a state prisoner proceeding *pro se*, filed the instant civil rights complaint pursuant to 42 U.S.C. § 1983, the Americans With Disabilities Act (“ADA”), and Section 504 of the Rehabilitation Act of 1973, concerning the conditions of his confinement at CTF - Soledad. Before the Court is Plaintiff’s motion for extension of time to file proofs of service on all Defendants.

On May 25, 2011, the Court reviewed Plaintiff’s complaint and determined that he alleged cognizable claims of deliberate indifference to his serious medical needs, and a violation of the ADA and Rehabilitation Act. The Court further recognized that, because Plaintiff had paid the filing fee, he could not rely upon the United States Marshal for service upon the named Defendants. Plaintiff was directed to provide the Court, by July 26, 2011, with proofs of service of the summons and complaint on all the Defendants, or show good cause why they should not

1 be dismissed.

2 On June 7, 2011, Plaintiff filed with the Court "Notice and Acknowledgment of Receipt
3 of Summons and Complaint," as well as a copy of the summons he presumably sent to the
4 Defendants. However, these documents did not demonstrate that the Defendants were properly
5 served pursuant to Rule 4 of the Federal Rules of Civil Procedure. Plaintiff filed several motions
6 requesting default judgment, and a special appointment for the Marshal to serve Defendants. On
7 September 19, 2011, the Court sua sponte granted Plaintiff another extension of time to file
8 proofs of service as it was apparent he misunderstood what was required. On October 21, 2011,
9 Plaintiff filed a motion for extension of time.

10 The Court GRANTS Plaintiff a final extension of time. Plaintiff must file within **thirty**
11 **days** from the filing date of this order all proofs of service upon Defendants, or show good cause
12 why they should be not dismissed. **Failure to comply will result in dismissal of the unserved**
13 **Defendants.**

14 IT IS SO ORDERED.

15 DATED: 11/14/11


LUCY H. KOH
United States District Judge