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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 CLEON NEAL JONES,

12 Plaintiff,

13 v.

14 DR. AJMEL SANGHA, M.D.; K.  
15 WYATT, RN; DR. IRENE PULIDO,  
16 M.D.,

17 Defendants.

Case No.: 3:14-cv-2828-GPC-PCL

**ORDER DIRECTING SERVICE**

18 On March 23, 2015, the Court directed the U.S. Marshal to effect service of the  
19 First Amended Complaint on Irene Pulido and Ajmel Sangha. Dkt. No. 7. The summons  
20 as to Defendant Sangha was returned executed on June 17, 2015. Dkt. No. 14. The  
21 summons as to Irene Pulido, however, was returned unexecuted. Dkt. No. 15. It appears,  
22 from the U.S. Marshal's records, that Pulido could not be served because she did not live  
23 at the disclosed address and because she had moved to an unknown location. *Id.*

24 Almost a year later, the U.S. Marshal made yet another attempt to serve Pulido.<sup>1</sup>  
25 *See* Dkt. No. 42. Again, the summons was returned unexecuted. *Id.* It appears from the  
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28 <sup>1</sup> It is unclear from the docket what prompted this second attempt.

1 U.S. Marshal’s records that the officials were yet again unable to locate Pulido, although  
2 they were able to make contact with an unknown individual who informed them that  
3 Pulido “was on maternity leave with no return date given.” *Id.*

4 Under Fed. R. Civ. P. 4(m), “[i]f a defendant is not served within 90 days after the  
5 complaint is filed, the court—on motion or on its own after notice to the plaintiff—must  
6 dismiss the action without prejudice against that defendant or order service be made  
7 within a specified time.” Here, over a year and a half have elapsed since Plaintiff filed  
8 his FAC and yet Pulido has never been served. Accordingly, the Court directs the  
9 Government Attorney assigned to this case to contact the litigation coordinator at  
10 Centinela State Prison in order to obtain a current address for Pulido. In the event that  
11 the litigation coordinator has relevant information on Pulido’s whereabouts, the Court  
12 directs the Government Attorney to provide any such information to the U.S. Marshal in  
13 a confidential memorandum. The U.S. Marshal should then use that information to serve  
14 the summons and First Amended Complaint on Pulido.

15 If, however, Pulido is not served within ninety (90) days of this order, the Court  
16 will dismiss the FAC against her without prejudice.

17 **IT IS SO ORDERED.**

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19 Dated: March 8, 2017

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21 Hon. Gonzalo P. Curiel  
22 United States District Judge  
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