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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.
18

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

**ORDER DISMISSING PLAINTIFF'S
FIRST AMENDED COMPLAINT
AGAINST DEFENDANT PULIDO**

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20 On March 8, 2017, this Court issued an order directing the U.S. Marshal to make
21 service on Defendant Pulido on behalf of Plaintiff Jones, an inmate under custody. Dkt.
22 No. 48. It had been a year and a half since Plaintiff filed his First Amended Complaint
23 and yet Defendant Pulido had never been served. *Id.* As such, the Court directed the
24 Government attorney assigned to the case to contact the litigation coordinator at
25 Centinela State Prison, where Jones was being held, to obtain an address for Pulido so
26 that the U.S. Marshal could serve the summons and First Amended Complaint on her. *Id.*
27 The Court further indicated in its order that if Pulido was not served within ninety days of
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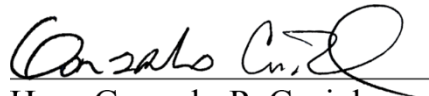
1 the order, it would dismiss the FAC against Pulido without prejudice pursuant to Fed. R.
2 Civ. P. 4(m). *Id.*

3 On May 2, 2017, the summons as to Pulido was returned unexecuted. Dkt. No. 50.
4 The return receipt filed by the U.S. Marshal indicates that an officer attempted service at
5 the confidential address obtained by the U.S. Marshal, but that the resident of the home
6 “stated that no one by the name of Pulido lives” at that address. *Id.* The
7 U.S. Marshal, therefore, was unable to effect service on Pulido. *Id.*

8 Given that service has not been made upon Pulido and that ninety days have
9 elapsed since the Court’s March 8, 2017 order, the Court hereby **DISMISSES** the First
10 Amended Complaint against Defendant Pulido **without prejudice**.

11 **IT IS SO ORDERED.**

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13 Dated: June 12, 2017

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15 Hon. Gonzalo P. Curiel
16 United States District Judge
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