

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

DERREL THOMAS, JR.,

Plaintiff,

vs.

Case No: 4:11-cv-46-MP-GRJ

JORAM PEREZ,
OFFICER BRADSHAW, and
OFFICER BOCCACCIO,

Defendants.

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ORDER

This case is before the Court on Doc 20, an unexecuted summons for Defendant Officer Bradshaw that was returned with a notation that Officer Bradshaw is now employed at Jefferson Correctional Institution ("Jefferson C.I.") and Doc. 21, an unexecuted summons for Defendant Joram Perez that was returned with a notation that Perez no longer works for the Florida Department of Corrections. Because Defendant Perez remains to be served, the Court will direct the Florida Department of Corrections to notify the Court whether there is a forwarding address for Defendant Perez and, if so, to provide that address in confidence to the United States Marshals Service. Similarly, the Court will also order that Defendant Officer Bradshaw be served at Jefferson C.I.

Accordingly, it is hereby **ORDERED**:

1. The Clerk shall issue summonses for Defendants Perez and Officer Bradshaw indicating each Defendant has 60 days in which to file a response to the complaint.
2. The **Clerk** shall send the summons for Defendant Perez, a copy of this order, and a copy of the First Amended Complaint (Doc. 17), to Alexandria Walters, Assistant General Counsel for the Department of Corrections, 501 S. Calhoun Street, Tallahassee, FL 32399-2500.

3. The Office of the General Counsel for the Department of Corrections shall have **thirty (30) days** from the date of this Order within which to: (1) inform the USMS office in Gainesville in confidence of the last known address of Defendant Perez; or (2) enter an appearance on behalf of Defendant Perez; or (3) advise the Court that neither alternative is possible. If the address is provided to the USMS, the Assistant General Counsel shall file an appropriate notice with the Court. **In such event, the Assistant General Counsel shall also forward to the USMS the copy of this order, the summons, and the service copy of the complaint. The USMS shall protect the confidentiality of any address provided by the Department of Corrections as required by Florida law, and shall not disclose any such information on any document filed with the Court.** Upon the filing of such notice, the Court will issue further instructions for service of process.
4. Pursuant to Rule 4(c), Federal Rules of Civil Procedure, **Darlene Lumpkin** is specially appointed to serve process upon Defendant **Officer Bradshaw** at the Jefferson Correctional Institution, a facility within the Florida Department of Corrections. In the absence of **Darlene Lumpkin**, the specially appointed process server designated above, **Claudene Hall** is designated as an alternate server and shall comply with this Order as though issued in her name.
5. The Clerk shall send the summons prepared for Officer Bradshaw to the United States Marshal, along with a copy of Plaintiff's First Amended Complaint (Doc. 17) and this Order.
6. **Within 10 days** from the date of entry of this Order on the docket, the United States Marshal or a Deputy United States Marshal shall serve a copy of the First Amended Complaint, a summons, and this Order upon Defendant Bradshaw. Service shall be accomplished **by mailing these documents by regular mail to the above named special process server who shall serve the Complaint.** All costs of service shall be advanced by the United States.
7. **Within 10 days** after receipt of the complaint and this order, **Darlene Lumpkin** shall **serve the First Amended Complaint upon Officer Bradshaw, complete and sign** the return of service, and **return** it to the Clerk of Court as proof of service. **Defendant Officer Bradshaw shall also sign the return of service as an acknowledgment of receipt of service.**

DONE AND ORDERED this 20th day of December 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge