

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK SMITH,

Plaintiff,

No. 15-10090

v.

District Judge Robert H. Cleland
Magistrate Judge R. Steven Whalen

MR. DOYLE, ET AL.,

Defendants.

ORDER

On January 5, 2015, Plaintiff Jack Smith, a prison inmate in the custody of the Michigan Department of Corrections (“MDOC”), filed a *pro se* civil complaint under 42 U.S.C. § 1983, naming a number of Defendants. Because Plaintiff is proceeding *in forma pauperis*, the Court ordered service by the United States Marshal. However, to date, Defendants T. Crawford and Mr. Doyle have not been served with summonses and complaints.

As is the usual practice, the Marshal sent waivers of service to the Defendants. As to Defendant Crawford, the documents were returned with the notations “Return to Sender” and “Unable to Forward.” [Doc. #37]. As to Mr. Doyle, the Court directed the MDOC to provide his last known address to the Marshal for purposes of service. The MDOC replied that it was “unable to determine the identity of ‘Mr Doyle’, and therefore cannot provide an address for service.” [Doc. #17].

“An inmate bringing a civil rights complaint must specifically identify each defendant against whom relief is sought, and must give each defendant notice of the action by serving upon him or her a summons and copy of the complaint.” *Herbert v.*

Roark, 2006 WL 1284695, *1 (E.D. Mich. 2006), citing *Feliciano v. DuBois*, 846 F.Supp. 1033, 1048 (D.Mass.1994). Notwithstanding that Marshal's service is ordered, it is the prisoner-plaintiff's responsibility to properly identify a defendant in the complaint, and to provide a proper address for service. *Id.*, citing *Williams v. McLemore*, 10 Fed. Appx. 241, 243 (6th Cir.2001) and *Byrd v. Stone*, 94 F.3d 217, 219 (6th Cir.1996). *See also Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir.1993)(prison inmate bears the responsibility for providing defendants' proper addresses or Marshal's service).

Therefore, IT IS ORDERED that no later than 30 days from the date of this Order, Plaintiff will provide this Court with the correct identity and address of the individual he names as "Mr. Doyle" in his complaint, and the correct address for Defendant Crawford. Plaintiff's failure to provide this information will result in a recommendation to dismiss these Defendants.

s/R. Steven Whalen
R. STEVEN WHALEN
United States Magistrate Judge

Dated: December 5, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on December 5, 2016, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager