

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

CARLIS ELWOOD MALPASS, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:20-cv-1368-HEA
	)	
N. GLORE, et al.,	)	
	)	
Defendants.	)	

**OPINION, MEMORANDUM AND ORDER**

Before the Court is a summons that was returned unexecuted by the United States Marshals Service as to defendant Nathan Glore. Pursuant to a previous order of this Court, the Clerk of Court was instructed to issue process or cause process to be issued upon the amended complaint as to this defendant. Because plaintiff alleged Glore was a Sheriff's Deputy with the St. Francois County Sheriff's Department, the Court directed he be served by issuance of summons and service by the U.S Marshal's Service at that location. The returned summons indicates the U.S. Marshal's Service attempted to serve Glore at that location, but were advised he was no longer employed there.

Rule 4(m) of the Federal Rules of Civil Procedure provides, in relevant part:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Because plaintiff is proceeding *in forma pauperis*, the Court is required to serve process on his behalf. However, plaintiff is responsible for providing the Court with adequate information to permit the defendant to be located and served. The Court will therefore instruct plaintiff to

provide the Court with a current address for defendant Nathan Glore, so that service of process may be effected.

Accordingly,

**IT IS HEREBY ORDERED** that, **within thirty (30) days of the date of this order**, plaintiff shall provide the Court with the current address of defendant Nathan Glore, so that service of process may be effected.

**IT IS FURTHER ORDERED** that if plaintiff fails to timely comply with this Order, the Court may dismiss defendant Nathan Glore from this action, without prejudice.

Dated this 1<sup>st</sup> day of July , 2021.



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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE