

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

PATRICIA MARIE HOLCOMB,

Plaintiff,

vs.

HOMELAND SECURITY, et al.,

Defendants.

CV 24-112-JTJ

ORDER

Plaintiff Patricia Marie Holcomb (Holcomb) was directed to provide sufficient information regarding the defendants' addresses to effect service. (Doc. 8) Holcomb submitted a list with several names and addresses. However, Holcomb's list included addresses for two entities (Butte Silver Bow and Butte-Silver Bow Jail) and one unidentified person (female booking officer) that are not named Defendants and misnamed the multi-jurisdictional task forces. (Doc. 9)

A plaintiff proceeding in forma pauperis must provide accurate and sufficient information to effect service. *Walker v. Sumner*, 14 F.3d 1415, 1422 (9th Cir. 1994), *overruled on other grounds Sandin v. Conner*, 515 U.S. 472, 483-84 (1995). The U.S. Marshals will not be directed to serve the defendants for whom inadequate information has been provided. Therefore, the Court will not order

issuance of summonses or direct service on the misnamed multi-jurisdictional task forces. Additionally, the Court will not order issuance of summonses or direct service on the Butte Silver Bow, Butte-Silver Bow Jail and female booking officer as they have not been named as defendants in this action. Holcomb must, once the other defendants have appeared, use the mechanisms of discovery to attempt to identify any additional defendants in such a way that service upon them is feasible. Fed. R. Civ. P. 4.

Holcomb has provided information for Defendants Charles Moffit, Office of Homeland Security, Montana Highway Patrol office and Patrolman Adam Hoover and Patrolman Kassey Milligan, and Montana Highway Patrolman Steve Larsen. (Doc. 9.) The office of Homeland Security can be served pursuant to Fed. R. Civ. P. 4(i).

Accordingly, IT IS ORDERED that:

1. The Clerk of Court is directed to prepare summonses for Charles Moffit, Office of Homeland Security, Montana Highway Patrol office and Patrolman Adam Hoover and Patrolman Kassey Milligan, and Montana Highway Patrolman Steve Larsen., at the addresses provided in Doc. 9.

2. Pursuant to 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(c), the Clerk of Court shall provide the following documents to the United States Marshals Service for service upon each defendant:

- the summons;
- the Complaint (Doc. 2); and
- this Order.

3. The United States Marshals Service or its designated agent shall personally serve the individual Defendants at the listed addresses or wherever they are found. Service by certified mail is not sufficient.

4. The Office of Homeland Security shall be served pursuant to Fed. R. Civ. P. 4(i).

5. Service shall be made within 45 days of the date of this Order. If service is not made within that time, the Marshals Service may request an extension of time by filing an affidavit with the Court explaining the circumstances. If service is not possible, the Marshals Service shall file an affidavit with the Court explaining the circumstances. The Marshals Service shall mail a copy of any affidavit or request to Plaintiff Holcomb at 730 10th Avenue West, Kalispell, MT 59901.

6. At all times, Holcomb must promptly advise the Court of any change of address. Failure to do so may result in dismissal.

IT IS FURTHER ORDERED that on or before December 22, 2024, Holcomb shall provide an appropriate address for service on each of the multi-jurisdictional drug task forces and their personnel. Failure to do so may result in dismissal of this action against these Defendants without notice.

DATED this 26th day of November 2024.



John Johnston
United States Magistrate Judge