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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GREGORY BANKS,

Plaintiff,

v.

NAPHCARE, et al.,

Defendants.

Case No. 2:13-cv-00324-RCJ-PAL

ORDER

(Mtn to Extend Time – Dkt. #29)

This matter is before the court on Plaintiff Gregory Banks' Motion for Extension of Time (Dkt. #29) filed July 22, 2014. The court has considered the Motion.

Plaintiff is a prisoner proceeding in this civil rights action pro se. In an Order (Dkt. #2) entered March 2, 2013, the court granted Plaintiff's Application to Proceed In Forma Pauperis (Dkt. #1). The court dismissed the case for Plaintiff's non-payment of an initial partial filing fee, but on November 19, 2013, the court entered an Order (Dkt. #16) reinstating this case because Plaintiff paid the filing fee. That Order also screened Plaintiff's Complaint (Dkt. #17) pursuant to 28 U.S.C. § 1915 and found Plaintiff had not stated a claim upon which relief could be granted. The court dismissed the Complaint and allowed Plaintiff thirty days to file an amended complaint. Plaintiff filed an Amended Complaint (Dkt. #18) on December 23, 2013.

The court screened the Amended Complaint in an Order (Dkt. #27) entered July 9, 2014. The court found the Amended Complaint stated a claim for violation of Plaintiff's rights under the Eighth Amendment and directed the U.S. Marshal to serve the Amended Complaint. The court directed Plaintiff to deliver the required Form USM-285 to the U.S. Marshal within twenty days of the court's Order. Plaintiff's Motion requests an additional thirty days to provide those

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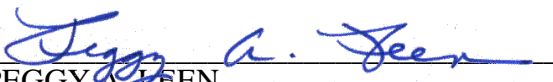
1 forms to the U.S. Marshal because he is only allowed access to the law library once every two
2 weeks, and he has limited capability to do research on the computer.

3 Having reviewed and considered the matter, and good cause appearing,

4 **IT IS ORDERED:**

- 5 1. Plaintiff's Motion to Extend Time (Dkt. #29) is GRANTED.
- 6 2. Plaintiff shall have until **August 29, 2014**, in which to furnish the U.S. Marshall the
7 required Form USM-285. Within twenty days of receiving from the U.S. Marshal a
8 copy of the Form USM-285 showing whether service was accomplished, Plaintiff
9 must file a notice with the court identifying which Defendants were served and which
10 were not, if any. If Plaintiff wishes to have service attempted again on an unserved
11 Defendant(s), then Plaintiff must file a motion identifying the unserved Defendant(s)
12 and specifying a more detailed name and/or address for the Defendant(s), or whether
13 some other manner of service should be attempted. Pursuant to Rule 4(m) of the
14 Federal Rules of Civil Procedure, Plaintiff must accomplish service within 120 days
15 from July 9, 2014, the date the court entered the screening order.

16 Dated this 25th day of July, 2014.

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20 PEGGY A. ZEEN
21 UNITED STATES MAGISTRATE JUDGE
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