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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HAROLD HARDEN,

Plaintiff,

vs.

DR. MONNINGHOF, et al.,

Defendants.

Case No. 2:14-cv-00377-APG-PAL

ORDER

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Plaintiff, who is in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 (#17) and an application to proceed in forma pauperis (#1). The court finds that plaintiff is unable to prepay the full filing fee in this matter, but plaintiff will need to pay the filing fee through monthly installments.

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The court had stayed this action to allow the parties to engage in informal settlement discussions. Plaintiff had submitted two motions regarding the date of a mediation hearing (#22, #24). The court never scheduled a mediation hearing, and the court denies these motions.

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Plaintiff has submitted a motion to produce docket history, orders, and proceedings/court minutes (#23) and a motion to produce current and all proceedings/case docket history (#29). The court will grant these motions in part, sending plaintiff a copy of the docket sheet.

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Plaintiff has submitted a motion for entry of default (#32), and defendants have submitted an opposition (#33). The court denies this motion because defendants have not yet been served or required to answer the complaint (#17).

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IT IS THEREFORE ORDERED that plaintiff's motions regarding the date of a mediation hearing (#22, #24) are **DENIED**.

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IT IS FURTHER ORDERED that plaintiff's motion to produce docket history, orders, and proceedings/court minutes (#23) and motion to produce current and all proceedings/case docket

1 history (#29) are **GRANTED IN PART**. The clerk shall send to plaintiff a copy of the docket
2 sheet for this action.

3 IT IS FURTHER ORDERED that plaintiff's motion for entry of default (#32) is **DENIED**.

4 IT IS FURTHER ORDERED that:

- 5 1. Plaintiff's application to proceed in forma pauperis (#1) is **GRANTED**. Plaintiff
6 shall not be required to pay an initial installment of the filing fee. If this action is
7 dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).
- 8 2. The movant herein is permitted to maintain this action to conclusion without the
9 necessity of prepayment of any additional fees or costs or the giving of security
10 therefor. This order granting leave to proceed in forma pauperis shall not extend to
11 the issuance of subpoenas at government expense.
- 12 3. Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay
13 to the clerk of the United States District Court, District of Nevada, 20% of the
14 preceding month's deposits to plaintiff's account (inmate #96165), in the months that
15 the account exceeds \$10.00, until the full \$350.00 filing fee has been paid for this
16 action. The clerk of the court shall send a copy of this order to the finance division
17 of the clerk's office. The clerk shall also send a copy of this order to the attention of
18 the Chief of Inmate Services for the Nevada Department of Corrections, P.O. Box
19 7011, Carson City, NV 89702.
- 20 4. The clerk shall electronically serve a copy of this order, a copy of the court's
21 screening order (#16) and a copy of plaintiff's complaint (#17) on the Office of the
22 Attorney General of the State of Nevada, attention Kat Howe.
- 23 5. Subject to the findings of the screening order (#16), within **twenty-one (21) days** of
24 the date of entry of this order, the Attorney General's Office shall file a notice
25 advising the court and plaintiff of: (a) the names of the defendants for whom it
26 accepts service; (b) the names of the defendants for whom it does not accept service,
27 and (c) the names of the defendants for whom it is filing last-known-address
28 information under seal. As to any of the named defendants for which the Attorney

1 General's Office cannot accept service, the Office shall file, under seal, the last
2 known address(es) of those defendant(s) for whom it has such information.

3 6. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a
4 motion identifying the unserved defendant(s), requesting issuance of a summons, and
5 specifying a full name and address for the defendant(s). For the defendant(s) as to
6 which the Attorney General has not provided last-known-address information,
7 plaintiff shall provide the full name and address for the defendant(s).

8 7. If the Attorney General accepts service of process for any named defendant(s), such
9 defendant(s) shall file and serve an answer or other response to the complaint within
10 sixty (60) days from the date of this order.

11 8. Henceforth, plaintiff shall serve upon defendant(s) or, if an appearance has been
12 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
13 document submitted for consideration by the court. Plaintiff shall include with the
14 original paper submitted for filing a certificate stating the date that a true and correct
15 copy of the document was mailed to the defendants or counsel for the defendants. If
16 counsel has entered a notice of appearance, the plaintiff shall direct service to the
17 individual attorney named in the notice of appearance, at the address stated therein.
18 The court may disregard any paper received by a district judge or magistrate judge
19 which has not been filed with the Clerk, and any paper received by a district judge,
20 magistrate judge, or the Clerk which fails to include a certificate showing proper
21 service.

22 IT IS SO ORDERED.

23 DATED: December 17, 2014.

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26 ANDREW P. GORDON
27 United States District Judge
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