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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL THOMAS DAVITT,)
)
Plaintiff,)
)
vs.)
)
DR. MITZER,)
)
Defendant.)
_____)

Case No. 2:14-cv-01504-GMN-CWH
ORDER

This matter is before the court on Plaintiff Michael Thomas Davitt’s (“plaintiff”) Motion Regarding Service (doc. # 18), filed July 15, 2015, which this Court construes as a motion to amend the complaint and serve an unserved defendant.

Plaintiff is proceeding in forma pauperis in this case. To date, the U.S. Marshals Service (“USMS”) has been unable to effectuate service of process based on information provided in the summons and plaintiff’s USM-285 forms. The Court previously granted plaintiff additional time to effectuate service and directed plaintiff to submit new USM-285 forms so service could be accomplished in this case. See Doc. # 15.

Plaintiff now brings the instant motion asking the Court for assistance based on the USMS’s letter informing plaintiff that a new summons must be issued that contains the correct spelling of Defendant Dr. Zinser’s name. See Doc. # 18 at 5. This Court finds good cause to grant the instant motion.

Accordingly, **IT IS HEREBY ORDERED** that plaintiff’s Motion Regarding Service (doc. # 18), which this Court construes as a motion to amend the complaint and serve an unserved defendant, is **granted**.

