

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ABDUL HOWARD,

V.

Plaintiff,

PEGGY MARTINEZ, et al.,

Defendants.

Case No. 2:16-cv-01553-MMD-PAL

ORDER

(Mots. – ECF Nos. 11, 17)

12 This matter is before the court on Plaintiff Abdul Howard's Motion to Order Marshal to
13 Obtain Information to Serve Last Defendant (ECF No. 11) and Motion to Order Defendant to be
14 Served by U.S. Marshal (ECF No. 17). These Motions are referred to the undersigned pursuant to
15 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 of the Local Rules of Practice.

16 On September 1, 2017, the court held a hearing on Mr. Howard's Motions. Present was
17 Akke Levin on behalf of Plaintiff and Noel Eidsmore on behalf of Defendants Officer Brown,
18 Officer Garvey, Sheriff Lombardo, and Bonnie Polley. Having reviewed and considered the
19 matter, and for good cause appearing,

IT IS ORDERED:

21 1. Plaintiff Abdul Howard's Motion to Order Marshal to Obtain Information to Serve Last
22 Defendant (ECF No. 11) and Motion to Order Defendant to be Served by U.S. Marshal
23 (ECF No. 17) are **GRANTED**.

24 2. Defense counsel shall disclose the last known address of Defendant Mujahid Ramadan
25 to Plaintiff's counsel by **October 31, 2017**, which Plaintiff's counsel shall keep
26 confidential and shall only disclose to the United States Marshal ("USM") for the
27 purpose of accomplishing service.

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1 3. Plaintiff's counsel shall complete a USM-285 form to attempt service on Defendant
2 Mujahid Ramadan and deliver the same to the USM by **November 3, 2017**, along with
3 a copy of the Complaint (ECF No. 5) and this Order.

4 4. Defense counsel shall also file the last known address of Defendant Mujahid Ramadan
5 *under seal* by **October 31, 2017**.

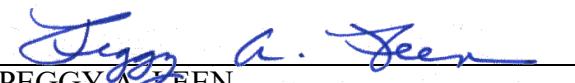
6 5. Once the address is submitted, the Clerk of the Court shall **REISSUE SUMMONS**
7 **UNDER SEAL** for Defendant Mujahid Ramadan and deliver the same to the USM to
8 attempt service.

9 6. After attempting service, the USM shall redact the return of service form so that
10 Defendant Mujahid Ramadan's last known address is not made publically available and
11 file a notice with the court indicating whether service was accomplished.

12 7. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, the deadline to
13 accomplish service on Defendant Mujahid Ramadan is extended until **November 24,**
14 **2017**.

15 8. Plaintiff must comply with this Order by accomplishing service by **November 24,**
16 **2017**, and his failure to complete service by that deadline may result in a
17 recommendation to the district judge that Defendant Mujahid Ramadan be dismissed
18 without prejudice.

19 Dated this 25th day of October, 2017.

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22 PEGGY A. SEEN
23 UNITED STATES MAGISTRATE JUDGE
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