

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILL SITTON,

Plaintiff,

vs.

LVMPD, et al.,

Defendants.

2:17-cv-0111-JCM-VCF

ORDER

Before the Court are the Motion to Extend Time (ECF No. 31), Motion to Reissue Summons (ECF No. 32), and the Motion to Stay Discovery (ECF No. 46).

The Court held a hearing on the instant motions on January 23, 2018. (ECF No. 53). The court canvassed and heard representations from the parties. A discussion was held on the service issues of the remaining defendants. The 14 unserved defendants that either worked at the jail or Las Vegas Metropolitan Police Department are:

- 1. CCS Baker
- 2. Mendoza
- 3. Billingsley
- 4. Cera
- 5. Mashore
- 6. Mowery
- 7. Storey
- 8. Hines
- 9. Bean

1 10. Sands

2 11. Gardea

3 12. CO Dumer

4 13. Smith

5 14. Yuzon

6 Mr. Eidsmore was ordered to file under seal the last known address(es) of those defendants for
7 which he is not accepting service and file a notice of acceptance of service for those that he is accepting
8 service. If Mr. Eidsmore has not accepted service for certain defendant(s) and has filed under sealed their
9 last known address(es), the court will reissue Summons for those unserved defendants.

10 Service on Naphcare Medical was discussed at the hearing and Sitton is given a final chance to
11 effectuate service.

12 Sitton informed the court that his paralegal, Travis Green, has been assisting him with his legal
13 documents. Sitton requests that Mr. Green has permission to attend and assist him in future hearings.
14 Since Mr. Green is not an attorney, the Court will not allow him to attend and assist Sitton in future court
15 hearings.

16 Sitton has filed an opposition to the motion to dismiss. (ECF No. 52). The Court finds that
17 discovery is not needed to brief the motion to dismiss. At the hearing, Sitton was not able to state why he
18 needs discovery for his opposition to the motion to dismiss. The court will issue a discovery plan and
19 scheduling order, at a later date, once service has been resolved on the remaining unserved defendants.

20 Accordingly,

21 IT IS HEREBY ORDERED that the Motion to Extend Time to Serve (ECF No. 31), Motion to
22 Reissue Summons (ECF No. 32), and the Motion to Stay Discovery (ECF No. 46) are GRANTED.

23 IT IS FURTHER ORDERED that the time to effectuate service on the remaining defendants is
24 extended to April 9, 2018.

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1 IT IS FURTHER ORDERED that Mr. Eidsmore must file under sealed the last known address(es)
2 of the defendants for whom he is not accepting service of process by February 6, 2018.

3 IT IS FURTHER ORDERED that Clerk of Court must reissue Summons on Naphcare Medical,
4 and the Las Vegas Review Journal, and deliver same to the U.S. Marshal for service. The clerk is directed
5 mail to plaintiff two USM-285 forms. The clerk is directed to send two copies of the complaint and two
6 copies of this order to the U.S. Marshal for service on defendants Naphcare Medical and the Las Vegas
7 Review Journal. Plaintiff has thirty (30) days within which to furnish to the U.S. Marshal the required
8 USM-285 forms with relevant information as to Naphcare Medical and the Las Vegas Review Journal.
9 Within twenty (20) days after receiving from the U.S. Marshal a copy of the USM-285 form showing
10 whether service has been accomplished, plaintiff must file a notice with the court identifying if Naphcare
11 Medical and the Las Vegas Review Journal were served.

12 IT IS FURTHER ORDERED that Ms. McLetchie must file the last known address of Wesley Juhl
13 by February 6, 2018. Ms. McLetchie may file this document under sealed.

14 IT IS SO ORDERED.

15 DATED this 29th day of January, 2018.



16 CAM FERENBACH
17 UNITED STATES MAGISTRATE JUDGE
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