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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

* * *

JAMES KW MATLEAN,

Plaintiff.

v.

JAMES DZURENDA, et al.,

Defendants.

Case No. 2:17-cv-01461-KJD-CWH

ORDER

This matter is before the court on the attached USM-285 forms and summonses that were received by the court on April 23, 2019. The forms were completed by pro se plaintiff James Matlean and are dated April 15, 2019.

On January 10, 2019, the court ordered the United States Marshal to assist Matlean with service on Jo Gentry, Dr. Koehn, Dr. Vicuna, and SL Clark under Rule 4(c)(3) of the Federal Rules of Civil Procedure. (Order (ECF No. 23).) The court further ordered the clerk of court to mail to Matlean the paperwork required for the U.S. Marshal to assist with service. (*Id.*) The court extended the time for service on Jo Gentry, Dr. Koehn, Dr. Vicuna, and SL Clark for an additional 90 days from the date of the order, making the service deadline April 10, 2019. (*Id.*) Matlean's court-ordered deadline for returning the summons forms and USM-285 forms to the court was January 31, 2019. (*Id.*)

On April 2, 2019, Matlean moved for an extension of time to serve the summonses, among other things, stating that he was placed in segregation on January 16, 2019, and he did not have access to his legal documents. (Mot. (ECF No. 32).) Matlean requests a 60-day extension of time to serve these defendants. The court will enter a separate order granting Matlean's motion for extension of time because that motion also raises various other issues.

///

Based on Matlean's representations regarding his difficulty in prosecuting this case while in segregation, the court in its discretion finds there is good cause to extend the deadline to serve Jo Gentry, Dr. Koehn, Dr. Vicuna, and SL Clark to September 23, 2019. IT IS THEREFORE ORDERED that the deadline to serve defendants Jo Gentry, Dr. Koehn, Dr. Vicuna, and SL Clark is extended to **September 23, 2019**. IT IS FURTHER ORDERED that the clerk of court must issue the attached summonses and deliver the summonses, the attached USM-285 forms, and the complaint (ECF No. 7) to the United States marshal for service. DATED: July 24, 2019 UNITED STATES MAGISTRATE JUDGE

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

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SERVE	SCRIPTION OF PROPERTY TO	SEIZE OR CONDEMN
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SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be	
Г	served with this Form 285	
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	served in this case	
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	on U.S.A.	
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	orized USMS Deputy or Clerk	Date
number of process indicated. (Sign only for USM 285 if more		
than one USM 285 is submitted) No No		
I hereby certify and return that I \int have personally served, \int have legal evidence of service, \int have	e executed as shown in "Remarks	s" the process described
on the individual, company, corporation, etc., at the address shown above on the on the individual, comp	pany, corporation, etc. shown at th	ne address inserted below.
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	of abode	
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	Signature of U.S. Ma	arshal or Deputy
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including endeavors)		

- DISTRIBUTE TO: 1. CLERK OF THE COURT 2. USMS RECORD

 - 3. NOTICE OF SERVICE
 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

for the

District of Neva	ada
James Matiern Plaintiff(s) v. Jo Gentry Defendant(s)	Civil Action No. Zin -co-civila-ksb cont
SUMMONS IN A CIVI	L ACTION
To: (Defendant's name and address) Jo Coentry (NDCC)	
A lawsuit has been filed against you.	
Within 21 days after service of this summons on you (not are the United States or a United States agency, or an officer or em P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the Federal Rules of Civil Procedure. The answer or motion must whose name and address are:	ployee of the United States described in Fed. R. Civ. he attached complaint or a motion under Rule 12 of
James K.W. Mattern #92785 1252 E. Arica Rd. Elit, A.z. 85131	
If you fail to respond, judgment by default will be entered You also must file your answer or motion with the court.	against you for the relief demanded in the complaint.
	CLERK OF COURT
Date: 4-15-19	

Signature of Clerk or Deputy Clerk

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (nan	ne of individual and title, if any)			
vas rec	ceived by me on (date)	•			
	☐ I personally served	the summons on the individual a	at (place)		
			on (date)	; or	
	☐ I left the summons	at the individual's residence or u	sual place of abode with (name)		
		, a person	n of suitable age and discretion who res	ides there,	
	on (date)	, and mailed a copy to	the individual's last known address; or		
	☐ I served the summo	ons on (name of individual)		, who	is
	designated by law to	accept service of process on beha	alf of (name of organization)		
			on (date)	; or	
	☐ I returned the sumr	nons unexecuted because		• • • • • • • • • • • • • • • • • • •	or
	☐ Other (specify):				
	My fees are \$	for travel and \$	for services, for a total of \$	0.00	
	I declare under penalt	y of perjury that this information	is true.		
Date:					
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			Printed name and title		
			Server's address		_

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF				COURT CASE NUMBI		
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NAME OF INDIV	/IDUAL, COMPANY, COR	PORATION. ETC	. TO SERVE OR DE	SCRIPTION OF PROPERTY TO	SEIZE OR COM	NDEMN
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END NOTICE OF SERVICE COP	7 TO REQUESTER AT NAM	ME AND ADDRE	SS BELOW	Number of process to be		
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- DISTRIBUTE TO:
 1. CLERK OF THE COURT
 2. USMS RECORD
 3. NOTICE OF SERVICE

 - 5. NOTICE SLICE STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

 5. ACKNOWLEDGMENT OF RECEIPT

for the

District of Nevada	
DR. Keehn Defendant(s) Defendant(s)	Carth
SUMMONS IN A CIVIL ACTION	
To: (Defendant's name and address) OR. Kucha	
A lawsuit has been filed against you.	
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if y are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Ci P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:	iv.
James Moutlean # 02785 1252 E Arian Rd Elet A.Z. 85131	
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint You also must file your answer or motion with the court.	nt.
CLERK OF COURT	
Date:	

Signature of Clerk or Deputy Clerk

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

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s received by me on (date)			
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		on (date)	; or
☐ I left the summor	ns at the individual's residence or us	ual place of abode with (name)	
	, a person	of suitable age and discretion who re	sides there,
on (date)	, and mailed a copy to th	e individual's last known address; or	
☐ I served the sum	mons on (name of individual)		, who is
designated by law t	to accept service of process on behalf	f of (name of organization)	
		on (date)	; or
☐ I returned the sur	mmons unexecuted because		; or
Other (specify):			
My fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under pena	alty of perjury that this information is	s true.	
»:			
		Server's signature	
		Printed name and title	
		Server's address	

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF						С	OURT CASE NUMI	BER		
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SERVE)									
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- DISTRIBUTE TO: 1. CLERK OF THE COURT 2. USMS RECORD

 - 3. NOTICE OF SERVICE
 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

 5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

for the

Distric	ct of Nevada
Dr. U. cuna Defendant(s))))))) Civil Action No. 2:17 - co - C1461 - K50 - C144
SUMMONS IT	N A CIVIL ACTION
To: (Defendant's name and address) D. W. C.	
are the United States or a United States agency, or an offin P. 12 (a)(2) or (3) — you must serve on the plaintiff an at the Federal Rules of Civil Procedure. The answer or mot whose name and address are: James Modless & Goods &	be entered against you for the relief demanded in the complaint.
	CLERK OF COURT
Date: (1-15-14)	Signature of Clerk or Deputy Clerk

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (nam	ne of individual and title, if any)			
was re	ceived by me on (date)				
	☐ I personally served	the summons on the individual a	at (place)		
	This summons for (name of individual and title, if any) was received by me on (date) 1 personally served the summons on the individual at (place) on (date)				
	☐ I left the summons	at the individual's residence or u	isual place of abode with (name)		
		, a perso	n of suitable age and discretion who res	sides there,	
	on (date)	, and mailed a copy to	the individual's last known address; or		
	☐ I served the summo	ons on (name of individual)		, w	ho is
	designated by law to	accept service of process on beha	alf of (name of organization)		
			on (date)	; or	
	☐ I returned the summ	nons unexecuted because			; or
	Other (specify):				
	My fees are \$	for travel and \$	for services, for a total of \$	0.00	·
	I declare under penalty	y of perjury that this information	is true.		
Date:					
Date.			Server's signature		
			Printed name and title		
			Server's address		

PROCESS RECEIPT AND RETURN See "Instructions for Service of Process by U.S. Marshal"

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DEFENDANT	inei	laties	<u>~~</u>				YPE OF PROCESS	191 - K	50 - cull
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		VIDUAL, COM	PANY, COF	PORATION. ETC	C. TO SERVE OR DE	SCRIPTIO	N OF PROPERTY TO) SEIZE (OR CONDEMN
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							Signature of U.S. Ma	arshal or I	Deputy
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- DISTRIBUTE TO: 1. CLERK OF THE COURT 2. USMS RECORD 3. NOTICE OF SERVICE

 - BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
 ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

for the

Distric	t of Nevada
James K.W. Matlean Plaintiff(s) V. St Clark Defendant(s))))) Civil Action No. 2:17 - cw- 01461- K3D - cw+
SUMMONS IN	N A CIVIL ACTION
To: (Defendant's name and address) SL Clark	
are the United States or a United States agency, or an office P. 12 (a)(2) or (3) — you must serve on the plaintiff an art the Federal Rules of Civil Procedure. The answer or motivation whose name and address are: Tornes procedure #92785 1252 E Arica RJ Elot, A 2 85131	
If you fail to respond, judgment by default will be You also must file your answer or motion with the court.	e entered against you for the relief demanded in the complaint.
	CLERK OF COURT
Date: 4-15-19	Signature of Clerk or Deputy Clerk

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (nam	e of individual and title, if any)		
was rec	ceived by me on (date)	•		
	☐ I personally served	the summons on the individual	at (place)	
			on (date)	; or
	☐ I left the summons a	at the individual's residence or	usual place of abode with (name)	
		, a perso	on of suitable age and discretion who res	sides there,
	on (date)	, and mailed a copy to	the individual's last known address; or	
	☐ I served the summon	ns on (name of individual)		, who i
	designated by law to a	ccept service of process on beh	alf of (name of organization)	
			on (date)	; or
	☐ I returned the summ	nons unexecuted because		; or
	☐ Other (specify):			
	My fees are \$	for travel and \$	for services, for a total of \$	0.00
	I declare under penalty	of perjury that this information	n is true.	
Date:				
			Server's signature	
			Printed name and title	
			Server's address	

Legal Mail

Shadhan GORRECTIONAL CENTER* * A STEROM Clerk U.S. District Court
333 Las Vegas Blud So-Rm 1334 Las urgas N.C. 89Nol

1-52 B. Matheon # 92785 1-52 B. Morce Rd