UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DUSTON MILLER,

      Plaintiff(s),

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

      Defendant(s).

Case No.: 2:17-cv-02021-RFB-NJK

ORDER

(Docket No. 100)

Pending before the Court is Plaintiff's motion for an order directing the U.S. Marshal to serve Defendants Darrington and Albright. Docket No. 100. The motion is properly resolved without a hearing. *See* Local Rule 78-1.
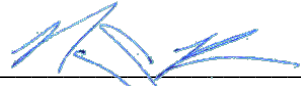
Litigants proceeding under *in forma pauperis* status have the right "to adequate assistance by the U.S. Marshal in the service of summons and the complaint." *Puett v. Blandford*, 912 F.2d 270 (9th Cir. 1990); *see also* Fed.R.Civ.P. 4(c)(3).

Accordingly, the Court **GRANTS** Plaintiff's motion. Docket No. 100. The Court **INSTRUCTS** the Clerk of the Court to deliver Plaintiff's USM-285s, *id.* at 4–5, to the U.S. Marshal along with two copies of the third amended complaint, Docket No. 68. The Court **ORDERS** that, no later than May 22, 2020, Plaintiff must furnish to the U.S. Marshal summons and proof of service forms for Defendants Darrington and Albright. If Plaintiff furnishes those documents to the U.S. Marshal by May 22, 2020, the U.S. Marshal shall then attempt to serve Defendants Darrington and Albright. The Court further **ORDERS** that Plaintiff must file a notice with the Court identifying whether Defendants Darrington and Albright were served within twenty days after receiving back from the U.S. Marshal a copy of the USM-285s showing whether service has been accomplished. If service was not accomplished and Plaintiff wishes to have service again

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1 attempted on Defendants Darrington or Albright, Plaintiff must file a separate motion with the

2 Court specifying a more detailed name or address for Defendants Darrington or Albright, or

3 whether some other manner of service should be attempted.

4   IT IS SO ORDERED.

5   Dated: April 22, 2020

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7   Nancy J. Koppe
                                          United States Magistrate Judge

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