



1 Carter’s original deadline for serving the non-appearing defendants was August 28, 2019.  
2 (See ECF No. 18 (ordering Carter to effect service of process within 90 days from May 30, 2019).)  
3 That deadline lapsed and Carter subsequently moved to extend the time for service. (ECF No. 46.)  
4 This Court granted Carter’s motion, ordered him to file a new motion requesting issuance of  
5 summonses by April 10, 2020, and further ordered him to complete service by June 11, 2020. (ECF  
6 No. 46.) Carter filed the underlying motion on March 23, 2020. (ECF No. 47.)

7 **II. Discussion.**

8 This Court construes Carter’s motion as one to issue summonses for—and to effect  
9 service of process upon—the non-appearing defendants. When a party proceeds in forma  
10 pauperis, the Court “shall issue and serve all process.” 28 U.S.C. § 1915(d); Puett v. Blandford,  
11 912 F.2d 270, 273 (9th Cir. 1990) (“a party proceeding in forma pauperis is entitled to have the  
12 summons and complaint served by the U.S. Marshal.”).<sup>2</sup> Carter proceeds in forma pauperis.  
13 Accordingly, Carter is entitled to the Court’s aid in issuing and serving all process and the Court  
14 will therefore grant his motion.

15 The Court will order the Clerk of Court to issue summonses, under seal, for Aranas,  
16 Mangapit, and Bitar. Further, the Court will order that the Clerk of Court send Carter three blank  
17 copies of form USM-285, the form that the U.S. Marshals Service requires before it can attempt  
18 to effect service of process. Carter must fill out the forms but leave blank the defendants’ address  
19 information. Carter must send the USM-285 forms to the U.S. Marshals Service within 20 days  
20 from the date of this order.<sup>3</sup> Finally, the Court will order the U.S. Marshals Service to attempt  
21 service on Aranas, Mangapit, and Bitar at their last known addresses, filed under seal by the  
22 Attorney General at ECF No. 20.

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25 June 1, 2011) (“Although the court can and does have the U.S. Marshal serve process on defendants routinely . . . it is  
26 plaintiff’s responsibility to provide a name and address for each defendant to be served.”)

27 <sup>2</sup> Section 1915(d) dovetails with Rule 4, which provides that upon the request of a plaintiff  
28 authorized to proceed in forma pauperis, the Court “must” order “that service be made by a United States marshal or  
deputy or by a person specifically appointed by the court.” FED. R. CIV. P. 4(c)(3).

<sup>3</sup> The address for the U.S. Marshals Service’s Las Vegas office is 333 Las Vegas Boulevard South,  
Suite 2058, Las Vegas, Nevada 89101.

1 **III. Conclusion.**

2 IT IS THEREFORE ORDERED that Carter's motion for issuance of summonses (ECF No.  
3 47) is GRANTED.

4 IT IS FURTHER ORDERED that the Clerk of Court send Carter three blank copies of form  
5 USM-285.

6 IT IS FURTHER ORDERED that Carter shall have twenty days in which to furnish the  
7 U.S. Marshals Service with the required USM-285 forms. On the forms, Carter must leave blank  
8 the defendants' last known addresses. The U.S. Marshals Service will acquire these addresses from  
9 the Attorney General's sealed filing at ECF No. 20.


10 IT IS FURTHER ORDERED that the Clerk of Court issue summonses, under seal, to  
11 Romeo Aranas, Ronrico Mangapit, Paul Bitar, using the addresses that were filed under seal at ECF  
12 No. 20.

13 IT IS FURTHER ORDERED that the Clerk of Court serve a copy of this order, the sealed  
14 and issued summonses, and the complaint (ECF No. 5) on the U.S. Marshals Service.

15 IT IS FURTHER ORDERED that U.S. Marshal shall, in accordance with Federal Rule of  
16 Civil Procedure 4(c)(3), attempt service on Romeo Aranas, Ronrico Mangapit, and Paul Bitar at  
17 their last known addresses, filed under seal at ECF No. 20.

18 DATED: March 31, 2020.

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BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE