

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSHUA ROBERTS,
Plaintiff(s),

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,
Defendant(s).

Case No.: 2:18-cv-00649-APG-NJK

Order

On September 27, 2018, the Court granted Plaintiff leave to file an amended complaint naming Las Vegas Metropolitan Police Department (LVMPD) Officers Devore, LeBlanc, and Lilienthal explicitly as Defendants. Docket No. 16. The amended complaint has been docketed. Docket No. 17. Counsel for LVMPD has declined to accept service on these officers' behalf. See Docket No. 20. Because Plaintiff has been granted in forma pauperis status, see Docket No. 22-2, service may be attempted through the United States Marshal Service, see, e.g., Gibbs v. Fey, 2017 WL 8131473, at *3 (D. Nev. Nov. 14, 2017), adopted, 2018 WL 1157544 (D. Nev. Mar. 2, 2018).

Accordingly, the Court **ORDERS** as follows:

- Service must be effectuated on Officers Devore, LeBlanc, and Lilienthal within 90 days from the issuance of this order pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

- 1 • Within seven days of the issuance of this order, counsel for LVMPD shall file under
2 seal the current home addresses for Officers Devore, LeBlanc, and Lilienthal or, if any
3 of these officers is not currently employed with LVMPD, counsel for LVMPD shall
4 file under seal a last-known address. These addresses shall remain sealed and shall not
5 be provided to Plaintiff.
- 6 • The Clerk's Office shall deliver to the United States Marshal Service the summonses
7 for Officers Devore, LeBlanc, and Lilienthal (Docket No. 18), as well as three copies
8 of the amended complaint.
- 9 • The Clerk's Office shall mail Plaintiff three blank copies of the USM-285 form.
- 10 • Within 21 days of the issuance of this order, Plaintiff shall furnish the United States
11 Marshal Service with the required USM-285 forms (with the addresses for Officers
12 Devore, LeBlanc, and Lilienthal omitted).
- 13 • Within 21 days after receiving from the United States Marshal Service a copy of the
14 USM-285 forms showing whether service has been accomplished, Plaintiff must file a
15 notice with the Court identifying whether defendants were served. If Plaintiff wishes
16 to have service again attempted on any unserved defendant, a motion must be filed
17 identifying the unserved defendant and specifying a more detailed name and/or address
18 for said defendant, or whether some other manner of service should be attempted.

19 IT IS SO ORDERED.

20 Dated: October 4, 2018

21 
22 _____
23 Nancy J. Koppe
24 United States Magistrate Judge
25
26
27
28