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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BENJAMIN ESPINOSA,

Plaintiff,

v.

CALVIN JOHNSON, et al.,

Defendants.

Case No. 2:23-cv-00125-GMN-BNW

ORDER

10 On September 18, 2024, the Nevada Attorney General's Office indicated that they would
11 not accept service for Defendant Joe Lombardo. ECF No. 85. The Office filed Defendant
12 Lombardo's service address under seal. ECF No. 86. The Court now orders Plaintiff to complete
13 and return a USM-285 form to the U.S. Marshals Service so that Defendant Lombardo can be
14 served. The Court directs Plaintiff to carefully follow the below instructions:

15 **IT IS THEREFORE ORDERED** that the USMS must attempt service on Defendant
16 Lombardo.

17 **IT IS FURTHER ORDERED** that the Clerk of Court issue a summons for Defendant
18 Lombardo and deliver the same to the USMS for service together with one copy of each of the
19 following documents: this Order, the operative complaint (ECF No. 70), the Court's Screening
20 Order (ECF No. 9), and the address for Defendant Lombardo filed under seal (ECF No. 86).

21 **IT IS FURTHER ORDERED** that the Clerk of Court send Plaintiff one blank USM-285
22 form, together with a copy of this Order.

23 **IT IS FURTHER ORDERED** that Plaintiff shall have until **October 23, 2024** to fill out
24 the required USM-285 form and send it to the USMS. Plaintiff must fill out the blank space
25 asking for the defendant's address by specifying that Defendant Lombardo's address is filed
26 under seal in Case No. 2:23-cv-00125-GMN-BNW at ECF No. 86.

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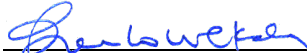
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IT IS FURTHER ORDERED that the USMS must, in accordance with Federal Rule of Civil Procedure 4(c)(3), attempt service on Defendant Lombardo no later than **20 days** after receipt of the completed USM-285 form.

IT IS FURTHER ORDERED that the USMS is to file the return of service under seal given that Defendant Lombardo’s address shall remain sealed.

IT IS FURTHER ORDERED that if Plaintiff fails to comply with this Order, Plaintiff’s claims against Defendant Lombardo may be subject to dismiss for failure to complete service of process pursuant to Federal Rule of Civil Procedure 4(m).

DATED: September 23, 2024


BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE