

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 JEROME BROWN,

5 Plaintiff,

6 v.

7 WARDEN BACA, et al.,

8 Defendants.

Case No. 2:23-cv-00692-CDS-EJY

**ORDER**

9  
10 On June 14, 2024, the Court ordered the Nevada Attorney General's Office to attempt to  
11 identify three named unserved defendants. ECF No. 21. On July 16, 2024, the Attorney General  
12 responded providing the last known address for two Defendants—Jeremy Jackson and Kenneth  
13 Cantrell. ECF No. 29. The third Defendant, Dr. Moffit, never worked for the facility at which the  
14 events described in Plaintiff's claims occurred.<sup>1</sup> ECF No. 27 at 3.

15 Based on the Attorney General's report, IT IS HEREBY ORDERED that the Clerk of Court  
16 **must** issue Summonses for Defendants Jeremy Jackson and Kenneth Cantrell and deliver the same  
17 to the U.S. Marshal for service together with two copies each of (1) this Order, (2) Plaintiff's Second  
18 Amended Complaint (ECF No. 3), (3) the Court's Screening Order (ECF No. 7), and (4) the  
19 addresses for Jeremy Jackson and Kenneth Cantrell filed under seal (ECF No. 29).

20 IT IS FURTHER ORDERED that the Clerk of Court **must** send Plaintiff two USM-285  
21 forms, together with a copy of this Order.

22 IT IS FURTHER ORDERED that Plaintiff **must** complete the USM-285 forms for Jeremy  
23 Jackson and Kenneth Cantrell to the best of his ability and return the same to the U.S. Marshal by  
24 mail no later than **August 23, 2024**. The completed USM-285 forms may be mailed to:

25  
26  
27  
28 <sup>1</sup> The Attorney General identifies an employee with the last name of Mumford; however, that employee did not  
work at High Desert State Prison until three years after the events about which Plaintiff's alleged claims occurred.

1 Gary G. Schofield  
2 U.S. Marshal, District of Nevada  
3 Lloyd D. George Federal Courthouse  
333 Las Vegas Blvd. S., Suite 2058  
Las Vegas, Nevada 89101

4 IT IS FURTHER ORDERED that the U.S. Marshal **must** attempt to effect service of this  
5 Order, Plaintiff's Second Amended Complaint, and the Summonses on Defendants Jeremy Jackson  
6 and Kenneth Cantrell no later than **twenty-one (21)** days after receipt of the completed USM-285  
7 forms.

8 IT IS FURTHER ORDERED that within **twenty-one (21)** days after Plaintiff receives copies  
9 of the USM-285 forms from the U.S. Marshal that show whether service was accomplished, Plaintiff  
10 **must** file a notice with the Court identifying whether Jeremy Jackson and Kenneth Cantrell were  
11 served. If Plaintiff wishes to have service attempted again on an unserved defendant, Plaintiff **must**  
12 file a motion with the Court identifying the unserved defendant and providing more detailed  
13 information regarding the unserved defendant's name and/or address, or whether service should be  
14 attempted in some other manner. Under Rule 4(m) of the Federal Rules of Civil Procedure service  
15 **must** be accomplished within **ninety (90) court days** from the date this Order is entered.

16 IT IS FURTHER ORDERED that hereinafter Plaintiff **must** serve Defendants Jeremy  
17 Jackson and Kenneth Cantrell, or, if appearance is entered by counsel, upon Defendants' counsel, a  
18 copy of every pleading, motion, or other document submitted for consideration by the Court.  
19 Plaintiff will include with the original papers submitted for filing a certificate stating the date that a  
20 true and correct copy of the document was mailed to Defendants or Defendants' counsel. The Court  
21 may disregard any paper received by a District or Magistrate Judge that is not filed with the Clerk,  
22 and any paper received by a District or Magistrate Judge, or the Clerk that fails to include a certificate  
23 of service.

24 IT IS FURTHER ORDERED that if Plaintiff fails to comply with this Order, Plaintiff's  
25 claims against Defendants Jeremy Jackson and Kenneth Cantrell may be subject to dismissal for  
26 failure to complete service of process pursuant to Fed. R. Civ. P. 4(m).

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

IT IS FURTHER ORDERED that Plaintiff has through and including **August 23, 2024**, to show cause in writing why Dr. Moffit should not be dismissed based on the representations made by the Attorney General in ECF No. 27. Failure to show cause will result in a recommendation to dismiss this defendant from this action.

Dated this 23rd day of July, 2024.

  
ELAYNA J. YOUCHAK  
UNITED STATES MAGISTRATE JUDGE