

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MAX REED II,	)	3:14-CV-0313-MMD (VPC)
	)	
Plaintiff,	)	<b><u>MINUTES OF THE COURT</u></b>
	)	
vs.	)	February 18, 2015
	)	
NEVADA DEPARTMENT OF	)	
CORRECTIONS, et al.,	)	
	)	
Defendants.	)	
_____	)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

Defendants filed a motion requesting substitution of party (#43). By this motion, defendants have more properly identified the defendant in Count IV of plaintiff’s first amended complaint as Agnes Horn. Defendants have requested that the court substitute the defendant that plaintiff thought was named “Isbah” to Agnes Horn. No opposition was filed. Pursuant to Local Rule 7-2(d), the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion. Therefore, defendants’ motion requesting substitution of party (#43) is **GRANTED**. The Clerk shall modify the docket sheet to reflect the correct name of the defendant listed as “Isbah.”

Plaintiff’s motion requesting issuance of summons for unserved defendants (#40) is **GRANTED**. The Office of the Attorney General did not accept service of process on behalf of Adam Watson, Kay Weiss, Drugh Waggener, or Kenneth Webb, who are no longer an employees of the Nevada Department of Corrections (#36). However, the Attorney General has filed the last known addresses of these defendants under seal (#37).

The Clerk shall **ISSUE** summonses for **Adam Watson, Kay Weiss, Drugh Waggener, and Kenneth Webb** and send the same to the U.S. Marshal with the address provided under seal (#37). The Clerk shall **SEND** to plaintiff four USM-285 forms. The Clerk shall **SEND** sufficient copies of the amended complaint (#31), the screening order (#30), and this order to the U.S. Marshal for service on the defendants. Plaintiff shall have until **Friday, March 6, 2015** to complete the USM-285 service form and return to the U.S. Marshal at 400 S. Virginia Street, 2<sup>nd</sup> Floor, Reno, NV 89501 for service.

If plaintiff fails to follow this order, the above-listed defendants will be dismissed for failure to complete service of process pursuant to Fed.R.Civ.P. 4(m).

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By: \_\_\_\_\_/s/\_\_\_\_\_  
Deputy Clerk