Mwanza v. Foster et al Doc. 59

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TACUMA J. MWANZA,	)	3:14-cv-00331-MMD-WGC
	)	
Plaintiff,	)	**MINUTES OF THE COURT**
	)	
vs.	)	December 11, 2015
	)	
FOSTER, et al.,	)	
	)	
Defendants.	)	
	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion Requesting Issuance of Summons on the Defendant Bothe at Second Address Under Seal." (ECF No. 58.) Plaintiff states that he was not aware that a second address for this defendant existed and therefore requests an order to serve the defendant at the second address under seal "which would make the Magistrate Judge's Order for Plaintiff to renew his Motion for Service by Publication Moot [Doc. # 56]." (*Id*., at 2.)

The court this date inquired of the U.S. Marshal's Office as to which addresses service was attempted. The court was informed that service was directed to both addresses listed in the Under Seal Submission of Last Known Addresses (ECF No. 28). However, one of addresses could not be located. Hence, the USM-285 form indicated that the Defendant "does not live at address on file." (ECF No. 38.) Therefore there would be no utility in issuing a summons to be served by the Marshal at an address for which the Marshall already attempted service unsuccessfully.

Plaintiff's motion (ECF No. 58) is therefore **DENIED.** Plaintiff is reminded that he has until December 31, 2015, to renew his motion for service by publication in accordance with this's Court's Order (ECF No. 56).

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk

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