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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

LARRY HANSEN,

Plaintiff,

v.

NEVADA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Defendants.

Case No. 3:17-cv-00387-MMD-WGC

ORDER

On June 20, 2017, Plaintiff, then a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), initiated this prisoner civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1-1.) On July 5, 2018, this Court issued a screening order and stayed the case to give the parties an opportunity to settle their dispute. (ECF No. 7.) Defendants have now filed a suggestion of death on the record. (ECF No. 12.)

Pursuant to Federal Rule of Civil Procedure 25(a)(1), “[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution may be made by any party or by the decedent’s successor or representative. If the motion is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed.” Therefore, if there is no motion for substitution within 90 days of the date of this order, the Court will dismiss the case.

It is therefore ordered that the Court will dismiss this case in 90 days if there is no motion to substitute filed pursuant to Federal Rule of Civil Procedure 25(a)(1).

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It is further ordered that the application to proceed *in forma pauperis* (ECF No. 1) is denied as moot.

DATED THIS 1<sup>st</sup> day of October 2018.



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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE