

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Howard D. Kelly

v.

Civil No. 13-cv-107-PB

Warren Dowaliby et al.¹

O R D E R

Howard D. Kelly has filed a complaint (doc. no. 1) asserting that his rights to adequate medical care and to viable grievance procedures at the Strafford County House of Corrections ("SCHC") were violated during Kelly's 2008-2010 incarceration at the SCHC. The matter is before the court for preliminary review to determine, among other things, whether the complaint states any claim upon which relief could be granted. See 28 U.S.C. § 1915A(a); United States District Court District of New Hampshire Local Rule ("LR") 4.3(d)(2).

In the report and recommendation issued this date, the undersigned magistrate judge has recommended that the due

¹Kelly names the following individuals as defendants: Strafford County House of Corrections ("SCHC") Superintendent Warren Dowaliby; SCHC Nurse Practitioner and Head of Medical Services Tracy, whose last name is unknown ("LNU"); SCHC Medical Technicians Rebecca LNU and Dawn LNU; and Strafford County Sheriff David Dubois.

process claims asserted against SCHC Superintendent Warren Dowaliby and Strafford County Sheriff David Dubois be dismissed. For reasons stated in that report and recommendation, the court hereby directs service of the complaint against SCHC Nurse Practitioner Tracy and SCHC Medical Technicians Rebecca and Dawn, whose last names are unknown ("LNU").


The clerk's office is directed to issue the summonses in the file for the following defendants: SCHC Nurse Practitioner Tracy LNU, SCHC Medical Technician Rebecca LNU, and SCHC Medical Technician Dawn LNU. The clerk's office shall forward to the United States Marshal for the District of New Hampshire ("U.S. Marshal's office"): the summonses; the complaint (doc. no. 1) including the exhibits thereto; the report and recommendation issued this date; and this order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall serve process upon each individual defendant, see Fed. R. Civ. P. 4(c)(3) and 4(e).

Defendants are instructed to answer or otherwise plead within twenty-one days of service. See Fed. R. Civ. P. 12(a)(1)(A).

Kelly is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on

defendants by delivering or mailing the materials to them or their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.

A handwritten signature in black ink, appearing to be 'L. McCafferty', written over a horizontal line.

Landya McCafferty
United States Magistrate Judge

June 3, 2013

cc: Howard D. Kelly, pro se

LBM:nmd