

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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J'min Atiba Ward, :
 :
 Plaintiff, :
 -against- :
 :
 City of Middletown, et al. :
 :
 Defendants. :
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/21/2021

17-cv-5248 (NSR)
THIRD SUPPLEMENTAL
ORDER OF SERVICE

NELSON S. ROMÁN, United States District Judge:

Plaintiff, currently residing at Eastern N.Y. Correctional Facility, brings this *pro se* action under 42 U.S.C. § 1983 related to alleged constitutional violations in conjunction with the execution of a no-knock warrant. The Court granted Plaintiff’s request to proceed *in forma pauperis*. (ECF No. 7.) Plaintiff filed a Second Amended Complaint on November 30, 2020. (ECF No. 50.) In January 2021, the Court issued a supplemental order of service. (ECF No. 51.) Motions to dismiss the Second Amended Complaint were filed by the County and City Defendants in June 2021. (ECF Nos. 80 and 86.) On October 18, 2021, the Court received a letter from Plaintiff in which he appears to seek an extension to serve Defendants Decker and Dubois. (ECF Nos. 99 and 100.) The Court reviewed the docket and discovered that its January 2021 Order of Service inadvertently omitted Defendants Decker and Dubois. Accordingly, on October 20, 2021, the Court ordered counsel for the County Defendants to provide the service addresses for Defendants Dubois and Decker. (ECF No. 103.) The Attorney for the County Defendants filed a *Valentin* letter providing the requested service addresses. (ECF No. 104.)

To allow Plaintiff to effect service on Defendants Dubois and Decker through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process

Receipt and Return form (“USM-285 form”) for each of these defendants at the following addresses:

- Sheriff Carl DuBois, 110 Wells Farm Road, Goshen, NY 10924
- Colonel Kenneth Decker, c/o Kellie Lagitch, 255-275 Main St., Goshen, NY 10924

The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service of the Second Amended Complaint upon these Defendants. Finally, the Clerk of Court is directed to mail a copy of this supplemental order of service to *pro se* Plaintiff at the address on ECF and to show service on the docket.

Dated: October 21, 2021
White Plains, New York



NELSON S. ROMÁN
United States District Judge