

DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>1/5/2021</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

J' MIN ATIBA WARD,

Plaintiff,

-against-

CITY OF MIDDLETOWN POLICE  
DEPARTMENT ET AL.,

Defendants.

17 CV 5248 (NSR)

SUPPLEMENTAL ORDER OF  
SERVICE

NELSON S. ROMÁN, United States District Judge:

Plaintiff J' min Atiba Ward, who is currently incarcerated at Southport Correctional Facility, appears pro se and asserts claims that the defendants violated his federal constitutional rights.

By order dated August 2, 2017, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, in forma pauperis ("IFP") (ECF No. 7). On November 12, 2020, the Court extended Plaintiff's deadline to amend his complaint by December 15, 2020 to include the individuals disclosed by the City and County in response to the first order of service (ECF No. 49). On November 30, 2020, Plaintiff filed his Second Amended Complaint (ECF No. 50), which the Court construes as asserting claims under 42 U.S.C. § 1983. The Second Amended Complaint names the following additional defendants: Ramon Bethancourt, Eric J. Hargett, Anthony Weed, Duane Lopez, Jason Kahmar, Daniel Greer, Michael Kania, Vincent Iannuzzi, Brian Shanley, John Trazino, Jason Davis, Chris DeSena and Paul Brahm (collectively, "Additional Defendants"), upon each of whom the Court directs service.

To allow Plaintiff to effect service on each of the Additional Defendants by the U.S. Marshals Service, the Clerk of Court is instructed to (1) fill out a U.S. Marshals Service Process

Receipt and Return form (“USM-285 form”) for each of the Additional Defendants with addresses as follows:

- Ramon Bethancourt, Former Middletown Police Chief, 2 James Street, Middletown, NY 10940
- Eric J. Hargett, Middletown Police Officer, 2 James Street, Middletown, NY 10940
- Anthony Weed, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Duane Lopez, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Jason Kahmar, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Daniel Greer, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Michael Kania, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Vincent Iannuzzi, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Brian Shanley, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- John Trazino, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Jason Davis, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Chris DeSena, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924
- Paul Brahm, Special Operations Group, Orange County Correctional Facility, 110 Wells Farm Rd., Goshen, NY 10924;

(2) to issue a summons for each of the Additional Defendants; and (3) to deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service on each of the Additional Defendants.

The Clerk of Court is further instructed to (4) update pro se Plaintiff's address to the address listed on Plaintiff's Second Amended Complaint (ECF No. 50) and Plaintiff's letters dated October 7 and 16, 2020 (ECF Nos. 44-45, 47-48): J'min Atiba Ward 18-A-1063, Southport Correctional Facility, P.O. Box 2000, Pine City, NY 148711; (5) to mail a copy of this order to pro se Plaintiff at the updated address and to show service on the docket, and (6) to correct Defendant Lopez's first name to "Duane" on the docket.<sup>1</sup>

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss this action if Plaintiff fails to do so.

SO ORDERED.

Dated: January 5, 2021  
White Plains, New York



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NELSON S. ROMÁN  
United States District Judge

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<sup>1</sup> The County included "Duane Lopez" in its response to the Court's Order of Service (ECF No. 22) and Plaintiff's Second Amended Complaint names "Duane Lopez" as a Defendant (ECF No. 50). However, the Docket mistakenly lists Defendant Lopez's first name as "Daniel."