

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12-cv-407-RJC**

**TROY N. PERSON,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **ROBERT C. LEWIS, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on Plaintiff’s “Motion for Subpoena Documents be Present to Plaintiff from Court Order,” (Doc. No. 30), and on the Court’s own status review. The Court will deny Plaintiff’s motion as non-justiciable, as it is unclear what relief Plaintiff is seeking in the motion. The Court further notes, however, that on April 15, 2015, summonses were returned to this Court as unexecuted in this action as to Defendants FNU Covington, L. Parsons, Robert C. Lewis, and Alvin W. Keller.<sup>1</sup> See (Doc. Nos. 23; 24; 25; 27). This Court will instruct the U.S. Marshal to use reasonable efforts to locate and obtain service on these remaining Defendants. See Greene v. Holloway, 210 F.3d 361 (4th Cir. 2000) (where the district court dismissed a defendant in a Section 1983 action based on the prisoner’s failure to provide an address for service on a defendant who no longer worked at the sheriff’s office, remanding so the district court could “evaluate whether the marshals could have served [Defendant] with reasonable effort”).

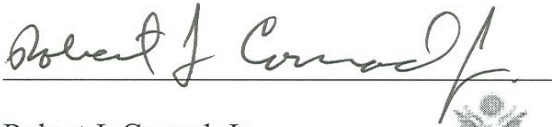
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<sup>1</sup> Robert C. Lewis is identified as the Director of the Division of Prisons for the North Carolina Department of Public Safety, and Alvin W. Keller is identified as the former Secretary of the North Carolina Department of Public Safety. Defendant FNU Covington is identified as a correctional officer with Lanesboro Correctional Institution, and Defendant Parsons is identified as the Administrator of Lanesboro Correctional Institution.

**IT IS, THEREFORE, ORDERED** that:

1. Plaintiff's "Motion for Subpoena Documents be Present to Plaintiff from Court Order," (Doc. No. 30), is **DENIED**.
2. The U.S. Marshal shall use all reasonable efforts to locate and obtain service on Defendants FNU Covington, L. Parsons, Robert C. Lewis, and Alvin W. Keller. If the U.S. Marshal is unable to locate and obtain service on these Defendants, the U.S. Marshal shall inform the Court of the efforts made in attempting to locate these Defendants.

Signed: May 19, 2015



Robert J. Conrad, Jr.  
United States District Judge

