

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:17-cv-274-FDW**

**AJANAKU MURDOCK,** )  
 )  
 **Plaintiff,** )  
 )  
**vs.** )  
 )  
 )  
 )  
**JACK MCCLELLAND, et al.,** )  
 )  
 **Defendants.** )  
 )

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**ORDER**

**THIS MATTER** is before the Court on periodic status review.

Pro se Plaintiff Ajanaku Murdock filed this action on May 23, 2017, pursuant to 42 U.S.C § 1983. (Doc. No. 1). In the Complaint, Plaintiff alleges that Defendants Sami Hassan, FNU Haines, David Mitchell, and FNU Dixon—all alleged to have been employed at Lanesboro at all relevant times—were deliberately indifferent to Plaintiff’s serious medical needs based on Defendants’ refusal to provide him with medical care and to acknowledge his serious medical needs arising from his physical disability (caused by a previous injury) and related ailments while incarcerated at Lanesboro. On April 17, 2018, the US. Marshal returned the summons forms for these four Defendants as unexecuted. (Doc. No. 23).


This Court recently enacted Local Rule 4.3, which sets forth a procedure to waive service of process for current and former employees of the North Carolina Department of Public Safety (“NCDPS”) in actions filed by North Carolina State prisoners. Due to the difficulty the U.S. Marshal is experiencing in attempting service of process, the Court will order the Clerk to commence the procedure for waiver of service as set forth in Local Rule 4.3 for the unserved

Defendants.

**IT IS THEREFORE ORDERED** that:

1. The Clerk of Court shall commence the procedure for waiver of service as set forth in Local Rule 4.3 for Defendants Sami Hassan, FNU Haines, David Mitchell, and FNU Dixon, who are current or former employees of NCDPS.
2. The Clerk is respectfully instructed to mail a copy of Plaintiff's Amended Complaint, filed on November 27, 2017, and docketed as No. 16, to NCDPS.
3. The Clerk is respectfully instructed to mail a copy of this Order to the U.S. Marshal.

Signed: June 20, 2018

  
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Frank D. Whitney  
Chief United States District Judge

