

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Eric Alan Sanders,)	C/A No. 0:15-2313-JMC-PJG
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Lowe’s Companies, Inc.; E.E.O.C. of)	
Charlotte, NC; John Hayward; Mike)	
Calzareeta; Doug Ford; Rayvon Irby,)	
)	
Defendants.)	
_____)	

The plaintiff, Eric Alan Sanders, a self-represented litigant, filed an Amended Complaint in this civil action on August 13, 2015. (ECF. No. 16.) This matter is currently before the assigned United States Magistrate Judge for a service of process status review. As the plaintiff was granted leave to proceed *in forma pauperis*, the court issued an order on September 21, 2015 authorizing issuance of process by the Clerk of Court and directing the United States Marshals Service to serve the Summons and Complaint on the defendants. (ECF No. 27); see Fed. R. Civ. P. 4(c)(3); 28 U.S.C. § 1915(d). The court’s order stated that “[i]f the information provided by Plaintiff . . . is not sufficient for the Marshal to effect service of process, . . . the Marshal should so note in the ‘Remarks’ section at the bottom of the Form USM-285.” (ECF No. 27 at 3-4.) The plaintiff was also specifically advised that “[plaintiff] **must** provide, and is responsible for, information sufficient to identify the defendants,” and that “[t]he United States Marshal cannot serve an inadequately identified defendant Unserved defendants may be dismissed as parties to this case if not served within the time limit governed by Rule 4(m).” (Id. at 4.) Review of the docket discloses that the

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Summonses for Defendants Calzareeta, Ford, Hayward and Irby were returned unexecuted on October 28, 2015. (ECF No. 35.)

After review of the returned summonses, the court concludes that the investigative efforts of the United States Marshals Service were reasonable. See Greene v. Holloway, No. 99-7380, 2000 WL 296314, at *1 (4th Cir. Mar. 22, 2000) (citing with approval Graham v. Satkoski, 51 F.3d 710 (7th Cir. 1995)). Accordingly, the plaintiff is advised that he must complete, sign, and return a summons and separate Forms USM-285 for Defendants Calzareeta, Ford, Hayward, and Irby, with additional information that would enable service to be effected on these defendants. Blank service documents are attached for the plaintiff's use. **Plaintiff is advised that failure to provide the documents necessary to serve these defendants within the applicable time period will result in their dismissal from the case pursuant to Rule 4(m).**¹

IT IS SO ORDERED.


Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

November 18, 2015
Columbia, South Carolina

¹ The 120-day period for service is calculated by the Clerk of Court under Rule 4(m) from the date on which the summonses are issued. Robinson v. Clipse, 602 F.3d 605, 608-09 (4th Cir. 2010) (tolling during initial review).