Pinckney v. Williams Doc. 17

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Quantis Pinckney,)	C/A No.: 1:13-388-DCN-SVH
Plaintiff,)	
vs.)	ORDER
Tameka Williams, Nurse of Lieber Correctional Institution,)))	
Defendant.)	

Plaintiff Quantis Pinckney, proceeding pro se and in forma pauperis, has alleged Nurse Tameka Williams of Lieber Correctional Institution ("Defendant") violated his constitutional rights. In an order filed in this case on March 27, 2013, service of process upon Defendant was authorized. On April 23, 2013, the service documents for Defendant were returned unexecuted. [Entry #16]. In the "Remarks" section of the USM-285, the Marshals Service indicated that the South Carolina Department of Corrections has no record of Defendant and it was unable to locate Defendant with the information provided. Id.

Plaintiff was previously warned: "Plaintiff **must** provide, and is responsible for, information sufficient to identify defendants on the Forms USM-285. The United States Marshal cannot serve an inadequately identified defendant, and un-served defendants may be dismissed as parties to this case." [Entry #9] (emphasis in original).

Plaintiff is therefore directed to complete, sign, and return by May 8, 2013, a Form USM-285 for Defendant. Plaintiff must provide, and is responsible for, information

sufficient to identify Defendant on the Form USM-285. The United States Marshal cannot serve an inadequately-identified defendant, and a case may be dismissed if the sole defendant is not served. The clerk is directed to attach a blank form to this order for Plaintiff's use. If Plaintiff properly complies with this order, the undersigned will issue an order directing service upon the clerk's receipt of the completed Form USM-285. Plaintiff is hereby advised that the undersigned will recommend this case be dismissed for failure to effect service of process if Plaintiff is unable to provide information

sufficient to identify Defendant further or an address where she may be served.

IT IS SO ORDERED.

Shura V. Hodges

April 24, 2013 Columbia, South Carolina Shiva V. Hodges United States Magistrate Judge