

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

Derell Dewitt Wiggins,)	C/A No.: 1:18-1448-TMC-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Brian Wallace; Mark Richardson;)	
Richard Neil; and Briana Murphy,)	
)	
Defendants.)	
)	

Plaintiff Derell Dewitt Wiggins (“Plaintiff”), proceeding pro se and in forma pauperis, has alleged Richard Neil used excessive force against him in violation of Plaintiff’s constitutional rights. In an order filed in this case on August 22, 2018, service of process upon Defendants was authorized. On October 3, 2018, the summons for Richard Neil was returned unexecuted. [ECF No. 42]. In the “Remarks” section of the USM-285, the Marshals Service indicated “Unable to locate; no longer employed by Marion County Detention Center. Records query returned too many records to narrow down the correct ‘Richard Neil’ without more biographical information.” 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 33] While Plaintiff may be entitled to discovery to determine Neil’s last known address, such discovery may pose a security risk. Therefore, the court directs defense counsel to advise by December 17, 2018, via a

brief filing on the docket, whether she or other counsel is authorized to accept service on behalf of Richard Neil or the last known address where he may be served.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Shiva V. Hodges". The signature is written in a cursive, flowing style.

December 7, 2018
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge