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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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10 Joseph C. Holmes,

11 Plaintiff,

12 vs.

13 Russell Barker, a Police Officer for the
14 City of Clinton, Tennessee, et al.

15 Defendants.

) No. CV-08-190-PHX-DGC

) **ORDER**

16

17 Plaintiff has filed a motion to serve defendants and a motion for appointment of
18 counsel. Dkt. ##17-18. The Court will deny the motions.

19 **I. The Motion to Serve Defendants.**

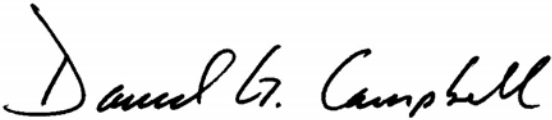
20 Plaintiff requests that the Court order the United States Marshal Service to effect
21 service of process on Plaintiff's behalf. Dkt. #17 at 7. The Court granted this request in a
22 previous order. See Dkt. #12 at 2-3. The Court will therefore deny the instant motion as
23 moot.

24 As stated in the previous order, Plaintiff is instructed to *promptly* inform the Marshals
25 Service of the names of the specific Defendants he wishes to have served, along with the
26 addresses or locations of such Defendants. See *id.* at 2. Plaintiff is advised that he has until
27 **October 6, 2008** to complete service upon Defendants and that the case will be dismissed
28 if Plaintiff fails to meet this deadline. See *id.* at 2-3.

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5. The Clerk shall **terminate** this action if Plaintiff fails to comply with this order.

DATED this 18th day of September, 2008.



David G. Campbell
United States District Judge

cc: USMS