UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GARRETT LINDERMAN, Plaintiff, v. RUBEN CEDENO, DEVON SCHRUM, KAREN BRUNSON, TAMARA ROWDEN, CAIN (FNU), SMITH (FNU), CARROLL RIDDLE, T. SCHNEIDER, McTARSNEY (FNU), PALMER (FNU), MOSELY (FNU), WINTERS (FNU), ASHTON (FNU), NESBITT (FNU), MOHN (FNU), MILLER (FNU), JANE/JOHN DOES, and L. SCHNEIDER, Defendants.	No. C10-5897 RBL/KLS ORDER REGARDING PLAINTIF'S MOTION FOR EXTENSION OF TIME TO SERVE DEFENDANTS AND FOR APPOINTMENT OF PROCESS SERVER

Before the Court is Plaintiff's Motion for Extension of Time to Serve Defendants and for Appointment of Process Server. ECF No. 44. Having reviewed the motion, Defendants' response (ECF No. 46), and balance of the record, the Court finds that Plaintiff shall be given additional time to complete service of all defendants, that the appointment of a process server is not necessary, and that Defendants shall provide addresses to the Court under seal.

DISCUSSION

Plaintiff Garrett Linderman's complaint was filed in this matter on December 13, 2010. ECF No. 5. Since that time, he has been diligently attempting to serve all the defendants. *See, e.g.*, ECF Nos. 6, 12, 27, 30, 33, 37, 42, and 44. Plaintiff has attempted to obtain addresses of former DOC defendants through the assistance of family members, discovery requests, and

requests for information directed to the Department of Corrections (DOC). *See, e.g.*, ECF No. 44. Through these efforts, Plaintiff was able to identify Michael Miller as the "fnu Miller" he originally named in his complaint. *See,* ECF No. 27.

Two defendants remain unserved -- Karen Brunson (the former Clallam Bay Corrections Center (CBCC) superintendent) and Correctional Officer Mike Miller. Defendants suggest that CO Otto Miller (a former CBCC employee) is the corrections officer Plaintiff intended to name because Mike Miller says he did not work in the living units during the time frames mentioned in the complaint. ECF No. 46, p. 2 fn.1. As to service of Karen Brunson, Defendants "take no position" regarding Plaintiff's request for the appointment of a process server. *Id.*, p. 3.

If Defendants are in possession of the last known business or last known home addresses of the non-served defendants (Karen Brunson, Mike Miller and/or Otto Miller), a sensible solution is that Defendants submit such information to the court **under seal** so that the Clerk may attempt to effect service. This solution alleviates two concerns concerning involving prisoner litigation: (1) the security risks inherent in providing prisoners with addresses of people formerly employed by the state; and (2) the reality of prisoners getting the "runaround" when they are attempting to access information through the government. *Sellers v. United States*, 902 F.2d 598, 603 (7th Cir. 1990).

Accordingly, it is **ORDERED:**

(1) Plaintiff's motion for extension of time to effect service (ECF No. 44) is **GRANTED.** Plaintiff shall have **120 days** from the date of this Order to complete service of his complaint. Plaintiff's motion for the appointment of a process server (ECF No. 44) is **DENIED.**

(2) Within **10 days** from the date of this Order, Defendants shall provide to the Court **under seal** the last known business or home addresses of Karen Brunson, Mike Miller and/or Otto Miller.

(3) The Clerk is directed to send a copy of this Order to Plaintiff and counsel for Defendants.

DATED this 18th day of October, 2011.

Karen L. Strombom
United States Magistrate Judge