

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 JAMAL J ELLIS,

11 Plaintiff,

12 v.

13 WASHINGTON STATE  
14 DEPARTMENT OF CORRECTIONS et  
al.,

15 Defendants.

CASE NO. 3:15-CV-05420-BHS-DWC

ORDER DIRECTING PLAINTIFF TO  
PROVIDE ADDRESSES OF  
UNSERVED DEFENDANT

16 Plaintiff was granted leave to proceed *in forma pauperis* (“IFP”) (Dkt. 2) on June 23,  
17 2015 and filed his Amended Complaint (Dkt. 7) on September 21, 2015. On October 28, 2015,  
18 the Court directed service of Plaintiff’s Amended Complaint on the named Defendants. Dkt. 9.  
19 The Clerk’s Office attempted to locate the proper service addresses for each Defendant and  
20 mailed the complaint and waiver of service forms. However, a return of service sent to  
21 Defendant Barbara Bannen was returned to the Court marked “RTS [return to sender]. Not here.  
22 Not in Outlook.” *See* Dkt. 14.

23 While the Court has the duty to serve the summons and complaint, *see* 28 U.S.C. §  
24 1915(d), an IFP plaintiff still bears the burden of providing accurate and sufficient information to

1 effect service. *See Walker v. Sumner*, 14 F.3d 1415 (9th Cir. 1994); *see also* Fed. R. Civ. P. 4.  
2 When an IFP plaintiff fails to provide the court with accurate and sufficient information to effect  
3 service of the summons and complaint, it is appropriate for the Court to *sua sponte* dismiss the  
4 unserved defendant. *Walker*, 14 F.3d at 1421-22 (quoting *Puett v. Blanford*, 912 F.2d 270, 275  
5 (9th Cir. 1990), *abrogated on other grounds by Sandin v. Connor*, 515 U.S. 472 (1995)).

6 Plaintiff is directed to provide the complete address for Defendant Brannen so the Court  
7 can again attempt service by mail. This address must be provided to the Court on or before  
8 January 19, 2016 or the Court will recommend dismissal of this action for failure to prosecute as  
9 to the unserved defendant.

10 Dated this 16<sup>th</sup> day of December, 2015.

11 

12 \_\_\_\_\_  
13 David W. Christel  
14 United States Magistrate Judge  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24