

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

EDUARDO MARTINEZ :
 : PRISONER
 v. : Case No. 3:00CV1140 (DJS)
 :
 CAPTAIN WIER, et al. :

RULING AND ORDER

Plaintiff's motion to reopen civil complaint [**doc. #14**] is **GRANTED**.

Plaintiff Martinez is directed to complete one set of the enclosed notice of lawsuit, the waiver of service of summons forms and the Marshal service form for defendant Weir using his current work address, in order that the United States Marshal be able to serve the complaint on defendant Weir in his individual capacity.

Plaintiff shall complete and return to the court the enclosed forms within **twenty** days of the date of this order. Plaintiff is cautioned that failure to return the forms and copies in a timely manner to the Clerk at 915 Lafayette Boulevard, Bridgeport, CT 06604, may result in the dismissal of this case without prejudice and without further notice from this court.

Upon receipt of the forms and copies, the Clerk is directed to forward the appropriate papers to the U.S. Marshal. The U.S.

Marshal is directed to serve the complaint on defendant Weir in his individual capacity and to file a return of service within **sixty (60)** days from receipt of the service packet.

Defendant Weir is directed to file an individual capacity appearance within **sixty (60)** days from the date he signs the waiver of service of summons.

The U.S. Marshal cannot effect service on the defendants identified as Lieutenant John Doe and Correctional Officers John Doe #1- #6 without names and addresses. Plaintiff is directed to file an amended complaint within **thirty (30)** days from the date of this order. The amended complaint will include all of the allegations contained in the original complaint and identify the name of the John Doe defendants. Failure to comply with this order will result in the dismissal of all claims against the John Doe defendants without further notice from the court.

SO ORDERED.

Entered this _____ 27th _____ day of May, 2004, at Hartford, Connecticut.

/s/DJS
Dominic J. Squatrito
United States District Judge