## UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

SHAUN MYERS, Plaintiff,	: CASE NO. 3:15-cv-1571 (VAB)
v.	· :
D. MURPHY, et al., Defendants.	
	January 11, 2017

## **RULING ON MOTIONS TO AMEND AND ORDER FOR SERVICE**

Plaintiff, Shaun Myers, has filed two motions seeking leave to amend his complaint to identify Defendant Director of Classification John Doe #1 and Defendant Acting Commissioner John Doe #2. In the first motion, Mr. Myers identifies Defendant Acting Commissioner John Doe #2 as Monica Rinaldi. In the second motion, Mr. Myers identifies Defendant Director of Classification John Doe #1 as Lynn Milling and has attached a proposed amended complaint including specific allegations against both defendants. Mr. Myers' second motion [ECF No. 20] is GRANTED and the first motion [ECF No. 11] is DENIED as moot. The Clerk is directed to separately docket the Amended Complaint, which is included as pages three through eighteen of ECF No. 20.

The Clerk shall verify the current work addresses of Defendants Rinaldi and Milling with the Department of Correction Office of Legal Affairs, and mail a waiver of service of process request packet including the Complaint and this Order to each Defendant at the confirmed address within twenty-one (21) days from the date of this Order. The Clerk shall report to the

Court on the status of that waiver request on the thirty-fifth (35) day after mailing. If either Defendant fails to return the waiver request, the Clerk shall make arrangements for in-person service by the U.S. Marshals Service on the Defendant in her individual capacity and she shall be required to pay the costs of such service in accordance with Federal Rule of Civil Procedure 4(d).

The Clerk shall prepare a summons form and send an official capacity service packet including the complaint and this order to the U.S. Marshal Service. The U.S. Marshal is directed to effect service of the complaint on Defendants Rinaldi and Milling in their official capacities at the Office of the Attorney General, 55 Elm Street, Hartford, CT 06141, within **twenty-one (21) days** from the date of this order and to file a return of service within thirty (30) days from the date of this order.

**SO ORDERED** at Bridgeport, Connecticut, this 11<sup>th</sup> day of January 2017.

/s/ Victor Bolden Victor A. Bolden United States District Judge