

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TITUS HENDERSON,

Plaintiff,

v.

DAVID BELFUEL, in his individual and official capacity, JEFFREY ENDICOTT, in his individual and official capacity, SUZANNE DEHAAN, in her individual and official capacity, SCOTT ECKSTEIN, in his individual capacity, JANELLE PASKE, in her individual capacity, DAVID TARR, in his individual capacity, SANDRA HAUTUMAKI, in her individual capacity, CINDY O'DONNELL, in her official capacity and JOHN DOES,

Defendants.

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ORDER

03-C-729-C

The United States Marshals Service has notified the court that it cannot serve defendant Janelle Paske with plaintiff's complaint. However, it is not clear from the deputy marshal's notation on the service form whether the marshal took reasonable steps to obtain the defendant's current address. The remarks section of the forms read as follows: "Unable to locate based on above information."

In an order entered in this case on March 30, 2004, I noted that the Attorney

General's office had accepted service of plaintiff's complaint on behalf of all of the defendants except defendants David Belfuel and Janelle Paske, who are no longer employed by the Department of Corrections. I stated as well that in completing the Marshals Service forms for defendants Belfuel and Paske, the clerk had been unable to provide a forwarding address for defendant Paske, because this information is unknown. Finally, I noted that it would be up to the marshal to make a reasonable effort to locate defendant Paske by contacting her former employer (in this case, the Department of Corrections) or conducting an Internet search of public records for defendant Paske's current addresses or both. See Sellers v. United States, 902 F.2d 598, 602 (7th Cir. 1990) (once defendant is identified, marshal to make reasonable effort to obtain current address).

Because it is not clear in this case whether the marshal made a reasonable effort to locate defendant Paske, I will require him to submit additional information about his efforts and, if those efforts did not include an Internet search of public records for Paske's current address or contact with Paske's former employer or both, I will require the marshal to pursue these avenues and advise the court of the results of his efforts in the remarks section of the process receipt and return the form.

Also, I will remind the marshal that if he is successful in obtaining defendant Paske's personal address, he should take great care to maintain that address in confidence rather than reveal it on the marshals service form, copies of which are filed in the court's public file

and mailed to the prisoner.

ORDER

IT IS ORDERED that the United States Marshal may have until April 20, 2004, in which to submit additional information to the court about his efforts to locate defendant Janelle Paske to serve her with plaintiff's complaint. If those efforts did not include an Internet search of public records for Paske's current address or contact with her former employer, the marshal is to pursue these avenues and advise the court in the remarks section of the process receipt and return form if those efforts are unsuccessful.

Entered this 6th day of April, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge