

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cuong Huy Dao v. M. Bravo, et al.

Dao v. Bravo · No. 1:25-cv-00970-HBK · Decided January 15, 2026

SUMMARY

The United States District Court for the Eastern District of California grants Plaintiff Cuong Huy Dao’s construed request for an extension of time to identify and serve Doe defendants. The deadline under Federal Rule of Civil Procedure 4(m) is stayed until further order while the case is subject to a stay for early alternative dispute resolution.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 15, 2026
DOCKET	1:25-cv-00970-HBK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a reply concerning the identification of John Doe defendants. The court construed the filing as a request for an extension of time to identify and serve the Doe defendants under Federal Rule of Civil Procedure 4(m).
PRECEDENTIAL VALUE	unknown

TOPICS

- service of process
- discovery dispute
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- service of process
- discovery

QUESTIONS PRESENTED

- Whether Plaintiff's filing should be construed as a request for an extension of time under Federal Rule of Civil Procedure 4(m).

2. Whether good cause existed to relieve Plaintiff of the 90-day deadline to identify and serve the Doe defendants while the case was stayed.
3. Whether Plaintiff could use discovery after the stay to identify the Doe defendants.

HOLDINGS

1. The court construed Plaintiff's filing according to the relief requested—as a request for an extension of time to identify and serve the Doe defendants under Rule 4(m), rather than according to the filing's title.
2. Good cause existed to relieve Plaintiff of the 90-day deadline under Rule 4(m) while the court-ordered stay remained in effect.
3. Plaintiff need not identify the Doe defendants while the stay is in effect; if the stay is lifted, Plaintiff may use discovery to obtain their names, subject to the court's future scheduling order.

KEY QUOTATIONS

“the plaintiff should be given an opportunity through discovery to identify the unknown defendants, unless it is clear that discovery would not uncover the identities, or that the complaint would be dismissed on other grounds” (1)

FACTUAL BACKGROUND

Plaintiff sought the identities of unidentified correctional officers through a CDCR Form 22 request but had not received a response. The case was subject to a stay for early alternative dispute resolution. Because the stay impeded Plaintiff's ability to identify and serve the Doe defendants within the Rule 4(m) period, the court found good cause to extend the deadline.

PROCEDURAL HISTORY

Plaintiff sued M. Bravo and unidentified correctional officers. After the court stayed the case to permit early alternative dispute resolution, Plaintiff reported that he had requested the Doe defendants' identities from the California Department of Corrections and Rehabilitation but had not received a response. The court granted Plaintiff's construed request and stayed the deadline to identify and substitute the Doe defendants until further order.

DISPOSITION

other

CASES CITED

- Miller v. Transamerican Press, Inc., 709 F.2d 524, 527 (9th Cir. 1983)
- Sea Ranch Ass'n v. Cal. Coastal Zone Conservation Comm'ns, 537 F.2d 1058, 1061 (9th Cir. 1976)
- Crowley v. Bannister, 734 F.3d 967, 978 (9th Cir. 2013)
- Gillespie v. Civiletti, 629 F.2d 637, 642 (9th Cir. 1980)

