

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Tariq Anderson,)	
)	
<i>Plaintiff</i>)	
)	No. 23-cv-14208
-vs-)	
)	(Chief Judge Pallmeyer)
Humberto Lozano,)	
)	
<i>Defendant.</i>)	

**MOTION FOR LEAVE TO SERVE SUBPOENA FOR PURPOSE
OF EFFECTING SERVICE ON DEFENDANT**

Plaintiff, by counsel, seeks leave to serve a subpoena for the purpose of effecting service on defendant. Grounds for this motion are as follows:

1. Plaintiff filed this case on September 27, 2023. (ECF No. 1.)
2. On September 28, 2023, pursuant to Federal Rule of Civil Procedure 4(d), Counsel mailed a Notice of Lawsuit and Request to Waive Service of Summons to defendant Humberto Lozano at Stateville Correctional Center, where defendant Lozano was employed as a correctional officer at the time of the events in the complaint.
3. On October 18, 2023, plaintiff's counsel received a letter from an official at Stateville, stating that Lozano had resigned on February 21, 2023. (Exhibit 1.)
4. Accordingly, plaintiff seeks leave of court, pursuant to Federal Rule of Civil Procedure 26(d)(1), to serve a subpoena on the Illinois Department

of Corrections, seeking the following information about defendant Lozano for the purpose of effecting service: Lozano's date of birth, driver's license number, last known address, and last known phone number.

It is therefore respectfully requested that the Court grant plaintiff leave to serve a subpoena for the purpose of effecting service on defendant Lozano

Respectfully submitted,

/s/ Joel A. Flaxman
Joel A. Flaxman
ARDC No. 6292818
Kenneth N. Flaxman
200 S Michigan Ave, Ste 201
Chicago, IL 60604
(312) 427-3200
attorneys for plaintiff