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| 8 | UNITED STATES DISTRICT COURT | | |
| 9 | EASTERN DISTRICT OF CALIFORNIA | | |
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| 11 | RONALD WARD, | 1:06-cv-00311-AWI-SMS-PC | |
| 12 | Plaintiff, | ORDER FINDING SERVICE OF COMPLAINT APPROPRIATE, AND FORWARDING | |
| 13 | V. | SERVICE DOCUMENTS TO PLAINTIFF FOR COMPLETION AND RETURN WITHIN | |
| 14 | VOSS, et al., | THIRTY DAYS | |
| 15 | Defendants. | (Doc. 1) | |
| 16 | · | | |
| 17 | Plaintiff Ronald Ward ("Plaintiff") is a civil detainee proceeding prose and in forma pauperis | | |
| 18 | in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on March 21, 2006 | | |
| 19 | The Court has screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A and finds that it states | | |
| 20 | cognizable claims for relief under section 1983 against defendants Tom Voss, Executive Director | | |
| 21 | Barbara Devine, Unit 1 Supervisor; Brian Bowely, Unit 2 Supervisor; Kim Wyatt, Unit 3 Supervisor | | |
| 22 | September Winchell, Unit 4 Supervisor; Ryan Argulio, Unit 6 Supervisor; Rocky Spurgeon | | |

Director; Jim Robinson, Program 1 Nursing Coordinator; Patrick Daley, Chief of Central Program
Services; James Walter, Unit 1 Shift Lead; Gary Renzaglia, Clinical Administrator; and John Does,
CSH employees, for violation of Plaintiff's rights under the First Amendment. Fed. R. Civ. P. 8(a);
<u>Erickson v. Pardus</u>, 127 S.Ct. 2197, 2200 (2007); <u>Alvarez v. Hill</u>, 518 F.3d 1152, 1157-58 (9th Cir.
2008).

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| 1 | The Court shall send plaintiff forms to complete and return to the Court, including two (2) | | |
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| 2 | USM-285 forms for defendants John Does. Plaintiff does not indicate in the complaint how many | | |
| 3 | actual Doe defendants he includes in this action. If Plaintiff needs forms for more than two (2) | | |
| 4 | identifiable John Does, plaintiff should make a written request to the court immediately, explaining | | |
| 5 | how many John Does he can presently identify. On the forms for the John Does, plaintiff must | | |
| 6 | identify each John Doe sufficiently for the United States Marshal to serve the defendant with a | | |
| 7 | summons and a copy of the complaint. Therefore, plaintiff must provide the defendant's full name | | |
| 8 | and current address, or if this is not possible, enough information to identify and locate the defendant | | |
| 9 | for service of process. If plaintiff cannot provide defendant's full name, plaintiff must provide other | | |
| 10 | identification to distinguish defendant from anyone else, such as a partial name along with job title, | | |
| 11 | dates and location of employment, gender, and description. Plaintiff is cautioned that service on | | |
| 12 | defendants John Does cannot go forward unless he provides enough information, and unsuccessful | | |
| 13 | service may result in these defendants being dismissed. | | |
| 14 | Accordingly, it is HEREBY ORDERED that: | | |
| 15 | 1. Service is appropriate for the following defendants: | | |
| 16 | TOM VOSS | | |
| 17 | BARBARA DEVINE | | |
| 18 | BRIAN BOWELY | | |
| 19 | KIM WYATT | | |
| 20 | SEPTEMBER WINCHELL | | |
| 21 | RYAN ARGULIO | | |
| 22 | ROCKY SPURGEON | | |
| 23 | JIM ROBINSON | | |
| 24 | PATRICK DALEY | | |
| 25 | JAMES WALTER | | |
| 26 | GARY RENZABLIA | | |
| 27 | JOHN DOES | | |
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| 1 | 2. | The Clerk of the Court shall send Plaintiff thirteen (13) USM-285 forms, thirteen |
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| 2 | | (13) summonses, a Notice of Submission of Documents form, an instruction sheet |
| 3 | | and a copy of the complaint filed March 21, 2006 (Document 1.). |
| 4 | 3. | Within thirty (30) days from the date of this order, Plaintiff shall complete the |
| 5 | | attached Notice of Submission of Documents and submit the completed Notice to the |
| 6 | | Court with the following documents: |
| 7 | | a. Completed summons; |
| 8 | | b. One completed USM-285 form for each defendant listed above; and |
| 9 | | c. Fourteen (14) copies of the endorsed complaint filed March 21, 2006. |
| 10 | 4. | Plaintiff need not attempt service on Defendants and need not request waiver of |
| 11 | | service. Upon receipt of the above-described documents, the Court will direct the |
| 12 | | United States Marshal to serve the above-named defendants pursuant to Federal Rule |
| 13 | | of Civil Procedure 4 without payment of costs. |
| 14 | 5. | The failure to comply with this order will result in a recommendation that this action |
| 15 | | be dismissed. |
| 16 | IT IS SO ORDERED. | |
| 17 | Dated: January 21, 2009 /s/ Sandra M. Snyder UNITED STATES MAGISTRATE JUDGE | |
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