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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALVARO QUEZADA,

1:06-cv-01088 OWW YNP SMS (PC)

Plaintiff,

ORDER FINDING SERVICE OF COMPLAINT
APPROPRIATE, AND FORWARDING
SERVICE DOCUMENTS TO PLAINTIFF FOR
COMPLETION AND RETURN WITHIN
THIRTY DAYS

v.

B. GRICEWICH, et al.,

Defendants.

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on the July 6, 2009, third amended complaint. On September 22, 2009, finding and recommendations were entered, recommending dismissal of the following claims and defendants: Plaintiff’s retaliation claims against Defendants Gricewich, John Doe Ma and John Doe KM; Plaintiff’s access to the courts claim against Defendants Gricewich, John Doe Ma and John Doe Km; Plaintiff’s due process claim against Defendant John Doe #; Plaintiff’s supervisory claims against Defendants Grannis, Soto and Dill. On December 21, 2009, an order was entered adopting the findings and recommendations. The September 22, 2009, recommendation noted that the third amended complaint stated a claim for relief against Defendant Takahashi and Defendant John Doe #1 for retaliation.

As to Defendant John Doe #1, Plaintiff is advised that the court can not order service upon un-named or unidentified defendants. In order to effect service upon Defendant John Doe #1, Plaintiff must provide information identifying that defendant.

1 Accordingly, it is HEREBY ORDERED that:

2 1. Service is appropriate for the following defendants:

3 TAKAHASHI

4 2. The Clerk of the Court shall send Plaintiff one USM-285 form, one summons, a
5 Notice of Submission of Documents form, an instruction sheet and a copy of the third
6 amended complaint filed July 6, 2009.

7 3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the
8 attached Notice of Submission of Documents and submit the completed Notice to the
9 Court with the following documents:

10 a. Completed summons;

11 b. One completed USM-285 form for each defendant listed above; and

12 c. Two copies of the endorsed third amended complaint filed July 6, 2009.

13 4. Plaintiff need not attempt service on Defendants and need not request waiver of
14 service. Upon receipt of the above-described documents, the Court will direct the
15 United States Marshal to serve the above-named defendants pursuant to Federal Rule
16 of Civil Procedure 4 without payment of costs.

17 5. The failure to comply with this order will result in a recommendation that this action
18 be dismissed.

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20 IT IS SO ORDERED.

21 **Dated: February 9, 2010**

/s/ Sandra M. Snyder
22 UNITED STATES MAGISTRATE JUDGE
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