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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LIONELL THOLMER,

1:06-cv-01403-LJO-GSA-PC

Plaintiff,

ORDER DENYING PLAINTIFF’S REQUEST  
FOR USM-285 FORM, WITHOUT PREJUDICE

v.

(Doc. 30.)

JAMES A. YATES, et al.,

Defendants.

\_\_\_\_\_ /

Plaintiff Lionell Tholmer (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on October 12, 2006. (Doc. 1.) On December 5, 2006, Plaintiff filed a First Amended Complaint, upon which this case now proceeds. (Doc. 11.)

On November 12, 2009, the Court issued an order finding service appropriate for five defendants in this action, including a John Doe defendant. (Doc. 27.) To initiate the service process, the Court mailed five USM-285 forms to Plaintiff for completion and return to the Court. Id. On December 4, 2009, Plaintiff submitted four completed USM-285 forms to the Court, one for each defendant except John Doe. (Doc. 28.) Plaintiff also requested an additional USM-285 form, explaining that one of the forms provided by the Court is now unusable, and he needs a replacement to use when he obtains the name of the John Doe defendant. (Doc. 30.) Plaintiff’s request is now before the Court.

