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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

WILLIAM NIBLE,

Plaintiff,

v.

WARDEN M. KNOWLES, et al.,

Defendants.

CASE NO. 1:06-cv-1716 OWW DLB PC

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

(Doc. 29)

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Plaintiff William Nible (“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 November 28, 2006. The Court has screened Plaintiff’s second amended complaint pursuant to 28 U.S.C. § 1915A and finds that it states cognizable claims for relief under section 1983 against Defendant E. Flores for violation of the First Amendment of the United States Constitution. Fed. R. Civ. P. 8(a); Erickson v. Pardus, 127 S.Ct. 2197, 2200 (2007); Alvarez v. Hill, 518 F.3d 1152, 1157-58 (9th Cir. 2008). Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate for the following defendants:  
E. FLORES, ASSOCIATE WARDEN
2. The Clerk of the Court shall send Plaintiff one (1) USM-285 form, one (1) summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the second amended complaint filed July 21, 2009.
3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the

1 attached Notice of Submission of Documents and submit the completed Notice to the  
2 Court with the following documents:

- 3 a. Completed summons;
- 4 b. One completed USM-285 form for each defendant listed above; and
- 5 c. Two (2) copies of the endorsed second amended complaint filed July 21,  
6 2009.

7 4. Plaintiff need not attempt service on Defendant and need not request waiver of  
8 service. Upon receipt of the above-described documents, the Court will direct the  
9 United States Marshal to serve the above-named defendant pursuant to Federal Rule  
10 of Civil Procedure 4 without payment of costs.

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

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14 IT IS SO ORDERED.

15 **Dated: August 13, 2009**

16 /s/ Dennis L. Beck  
17 UNITED STATES MAGISTRATE JUDGE  
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