

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHELBY RENE BRUCE,

Plaintiff,

v.

WADKINS, et al.,

Defendants.

CASE NO. 1:07-cv-00587-LJO-GSA PC

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

(Doc.1)

Plaintiff Shelby Rene Bruce ("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 April 17, 2007. The Court has screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A and finds that it states a cognizable claim for relief against Defendants Wadkins, Ayala, Razo, Pena, and Olmeolo for violation of the Eighth Amendment. 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:

CORRECTIONAL OFFICER WADKINS

SERGEANT AYALA

CORRECTIONAL OFFICER RAZO

CORRECTIONAL OFFICER PENA

CORRECTIONAL OFFICER OLMEOLO

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- 1 2. The Clerk of the Court shall send Plaintiff five (5) USM-285 forms, five (5)
2 summonses, a Notice of Submission of Documents form, an instruction sheet and a
3 copy of the complaint filed April 17, 2007.
- 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. Completed USM-285 form for Defendants listed above; and
- 9 c. Six (6) copies of the endorsed complaint filed April 17, 2007.
- 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.

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19 IT IS SO ORDERED.

20 **Dated: January 13, 2009**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE