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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT LEE JENKINS,

CASE NO. 1:07-cv-01223-LJO-DLB (PC)

Plaintiff,

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

v.

PERRY, et al.,

Defendants.

(Doc. 8)

Robert Lee Jenkins (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis with a first amended civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on May 1, 2008. The Court screened Plaintiff’s first amended complaint pursuant to 28 U.S.C. § 1915A and finds that it states a cognizable claim for relief under section 1983 against defendants Lieutenant Perry, Sergeant Bradford, Sergeant Chalabian, and Captain Williams for failure to protect in violation of the Eighth Amendment.

Accordingly, IT IS HEREBY ORDERED that:

1. Service is appropriate for defendants
LIEUTENANT PERRY
SERGEANT BRADFORD
SERGEANT CHALABAIN
CAPTAIN WILLIAMS
2. The Clerk of the Court shall send Plaintiff four (4) USM-285 forms, four (4) summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the amended complaint filed May 1, 2008.
3. Within THIRTY (30) DAYS from the date of this Order, Plaintiff shall complete

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

- 3 a. Completed summons;
 - 4 b. One completed USM-285 form for each defendant listed above; and
 - 5 c. Five (5) copies of the endorsed amended complaint filed May 1, 2008.
- 6 4. Plaintiff need not attempt service on Defendant and need not request waiver of
7 service. Upon receipt of the above-described documents, the court will direct the
8 United States Marshal to serve the above-named Defendant pursuant to Federal
9 Rule of Civil Procedure 4 without payment of costs.
- 10 5. The failure to comply with this Order will result in a Recommendation that this
11 action be dismissed.

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13 IT IS SO ORDERED.

14 **Dated: January 13, 2009**

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