1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 9 STEVEN DESHAZO, 1:07-cv-01258-OWW YNP SMS (PC) 10 Plaintiff, ORDER FINDING SERVICE OF AMENDED COMPLAINT APPROPRIATE, AND 11 v. FORWARDING SERVICE DOCUMENTS TO PLAINTIFF FOR COMPLETION AND C/O HIENG, 12 RETURN WITHIN THIRTY DAYS 13 Defendant. 14 15 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 May 1, 2008, first amended complaint. 16 17 The Court has 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 Defendant Hieng for use of 18 19 excessive force, in violation of the Eighth Amendment. Fed. R. Civ. P. 8(a); Erickson v. Pardus, 127 S.Ct. 2197, 2200 (2007); Alvarez v. Hill, 2008 WL 659570, No. 06-35068, *3 (9th Cir. Mar. 13, 20 21 2008). Accordingly, it is HEREBY ORDERED that: 22 1. Service is appropriate for the following defendants: C/O HIENG 23 24 25 2. The Clerk of the Court shall send Plaintiff one USM-285 form, one summons, a 26 Notice of Submission of Documents form, an instruction sheet and a copy of the first 27 amended complaint filed May 1, 2008. 28 ///

1	3.	Within thirty (30) days from the date of this order, Plaintiff shall complete the
2		attached Notice of Submission of Documents and submit the completed Notice to the
3		Court with the following documents:
4		a. Completed summons;
5		b. One completed USM-285 form for each defendant listed above; and
6		c. Two copies of the endorsed first amended complaint filed May 1, 2008.
7	4.	Plaintiff need not attempt service on Defendants 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 defendants 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 ORI	DERED.
15	Dated: Fe	bruary 4, 2010 /s/ Sandra M. Snyder UNITED STATES MAGISTRATE JUDGE
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