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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARDS STANFIELD, JR.,

CASE NO. 1:07-cv-01786-OWW-WMW PC

Plaintiff,

v.

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

STEVEN CALLAWAY, et al.,

Defendants.

(Doc. 1)

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Plaintiff is a former 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 December 10, 2007. The Court screened Plaintiff’s complaint pursuant to 28 U.S.C. § 1915A, and found that it states cognizable claims against Defendant Woolfolk for retaliation in violation of the First Amendment and Defendants Woolfolk, Garcia, Callaway and Casimiro for deliberate indifference to his serious medical needs violation of the Eighth Amendment.<sup>1</sup> 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:

STEVEN CALLAWAY, LVN

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<sup>1</sup> In a Findings and Recommendations issued concurrently with this Order, the Court recommended that Defendant Chand be dismissed.

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WOOLFOLK, LVN

GARCIA, LVN

CASIMIRO, LVN

2. The Clerk of the Court shall send Plaintiff four USM-285 forms, four summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed December 10, 2007.
3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the attached Notice of Submission of Documents and submit the completed Notice to the Court with the following documents:
  - a. Completed summons;
  - b. One completed USM-285 form for each defendant listed above; and
  - c. Five copies of the endorsed complaint filed December 10, 2007.
4. Plaintiff need not attempt service on Defendants and need not request waiver of service. Upon receipt of the above-described documents, the Court will direct the United States Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4 without payment of costs.
5. The failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

**Dated:** April 6, 2009

/s/ William M. Wunderlich  
UNITED STATES MAGISTRATE JUDGE