

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOWELL FINLEY,

Plaintiff,

v.

T. GONZALES, III, et al.,

Defendants.

CASE NO. 1:08-cv-00075-LJO-DLB PC

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

(Doc. 1)

Plaintiff Jowell Finley ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on January 15, 2008. The Court has screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A and finds that service is appropriate.¹ 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 shall be initiated on the following defendants:

A. D. OLIVE

M. PINA

2. The Clerk of the Court shall send Plaintiff two (2) USM-285 forms, two (2) summonses, a Notice of Submission of Documents form, an instruction sheet and a

¹ In a Findings and Recommendations issued concurrently with this order, the Court recommended dismissal of Plaintiff's First and Fourteenth Amendment religion claims, his Religious Freedom Restoration Act claim, retaliation claims, access to the courts claim, and supervisory liability claim against defendant Adams, for failure to state a claim upon which relief may be granted. The Court recommended that defendants Adams, Gonzales III, Cano and Jones be dismissed based on Plaintiff's failure to state any claims against them.

1 copy of the complaint filed January 15, 2008.

2 3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the
3 attached Notice of Submission of Documents and submit the completed Notice to the
4 Court with the following documents:

5 a. Completed summons;

6 b. One completed USM-285 form for each defendant listed above; and

7 c. Three (3) copies of the endorsed complaint filed January 15, 2008.

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

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

14
15 IT IS SO ORDERED.

16 **Dated: February 13, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE