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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JEAN-PIERRE K. THOMAS,  
Plaintiff,

1:08-cv-00689-OWW-DLB PC

v.

ORDER FINDING SERVICE OF COMPLAINT  
APPROPRIATE AND FORWARDING  
DOCUMENTS TO PLAINTIFF

M. GARCIA, et al.,  
Defendants.

(Doc. 1)

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Jean-Pierre K. Thomas (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Plaintiff filed this action on May 16, 2008. The Court screened Plaintiff’s complaint pursuant to 28 U.S.C. § 1915A and finds that it states a cognizable claim for relief under section 1983 against defendants Correctional Officers M. Garcia and I. Bonilla for cruel and unusual punishment in violation of the Eighth Amendment.

Accordingly, IT IS HEREBY ORDERED that:

1. Service is appropriate for defendants  
CORRECTIONAL OFFICER M. GARCIA  
CORRECTIONAL OFFICER I. BONILLA

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2. The Clerk of the Court shall send Plaintiff two (2) USM-285 forms, two (2) summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed May 16, 2008.
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. Three (3) copies of the endorsed complaint filed May 16, 2008.
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: February 3, 2009**

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE