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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DANNY JAMES COHEA,

1:08-cv-01186-LJO-YNP -SMS (PC)

Plaintiff,

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

v.

D. ADAMS, et al.,

Defendants.

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The Court screened Plaintiff’s complaint pursuant to 28 U.S.C. § 1915A, and found that it states cognizable claims against Defendants Vela-Lopez, Jones, Kush, Hicinbothem for retaliation, Defendants Vela-Lopez, Jones, Hicinbothem, and Adams and Adams for interfering with Plaintiff’s right of access to the courts¹ 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:
 - D. ADAMS
 - J. JONES.

_____ ¹ In a Findings and Recommendations issued concurrently with this Order, the Court recommended that Plaintiff’s equal protection and due process claims be dismissed, and Defendant Guzman be dismissed based on Plaintiff’s failure to state any claims against him.

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N. HICINBOTHEM

N. KUSCH

I. VELA-LOPEZ

- 2. The Clerk of the Court shall send Plaintiff five USM-285 forms, five summonses, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed August 13, 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. Five copies of the endorsed complaint filed August 13, 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: August 13, 2009

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE