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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SANTOS VILLEGAS,

CASE NO. 1:09-cv-00493 YNP GSA (PC)

Plaintiff,

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

v.

L. L. SCHULTEIS, et al.,

Defendants.

(Doc. 1)

_____/

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 August 24, 2009, first amended complaint. The Court screened Plaintiff’s amended complaint pursuant to 28 U.S.C. § 1915A, and found that it states cognizable claims against Defendants Rodriguez, Zucker, Soto, Martinez , Knight, Schulteiss and Carraso for violation of the Eighth Amendment and against Defendants Rodriguez, Zucker, Soto, Martinez and Knight for violation of the Equal Protection Clause of the Fourteenth Amendment. 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:
F. RODRIGUEZ
G. ZUCKER
M. SOTO
KNIGHT

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L. SCHULTEIS

M. CARRASCO

- 2. The Clerk of the Court shall send Plaintiff seven USM-285 forms, seven summonses, a Notice of Submission of Documents form, an instruction sheet and a copy of the amended complaint filed August 24, 2009.
- 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. Eight copies of the endorsed amended complaint filed August 24, 2009.
- 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: November 24, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE