UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRANCISCO GIL,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

_____/

CASE NO. 1:09-cv-00552-AWI DLB PC

ORDER DENYING REQUEST FOR SERVICE BY UNITED STATES MARSHAL

(Doc. 28)

Plaintiff Francisco Gil, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 24, 2009. By order issued September 18, 2009, this Court dismissed Plaintiff's complaint, with leave to amend, for failure to comply with Federal Rule of Civil Procedure 8. Plaintiff filed an amended complaint on November 6, 2009.

On December 9, 2009, Plaintiff filed a motion requesting service of the summons and his amended complaint by the United States Marshal. (Doc. 28.) As explained in the Court's First Informational Order, the Court will not direct service of the complaint until the Court has screened it and determined that Plaintiff states cognizable claims for relief against the named defendants. Plaintiff's motion, filed December 9, 2009, is DENIED as premature.

IT IS SO ORDERED.

Dated: December 11, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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