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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

VIRGIL E. HOLT,

Plaintiff,

v.

R. NICHOLAS, et al.,

Defendants.

CASE NO. 1:09-cv-00800 AWI DLB PC

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

(Doc. 1)

_____ /

Plaintiff Virgil E. Holt (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on May 4, 2009. The Court screened Plaintiff’s complaint pursuant to 28 U.S.C. § 1915A, and found that it states a claim against Defendants R. Nicholas, A. Holgen, J. Ortega, L. Machado, J. Juden, R. Valverde, F. Rivera, G. Adame, D. Coontz, M. Bubbel, Dr. Vo, Crouch, Tyree, Knight, Pinkerton, Valasco, Large, Soto, Worrell, Yubeta, K. Prior, D. Zanchi and M. Carrasco for violation of the Eighth Amendment. Fed. R. Civ. P. 8(a); Erickson v. Pardus, 551 U.S. 89, 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:

R. Nicholas

A. Holgen

- 1 J. Ortega
- 2 L. Machado
- 3 J. Juden
- 4 R. Valverde
- 5 F. Rivera
- 6 G. Adame
- 7 D. Coontz
- 8 M. Bubbel
- 9 Dr. Vo
- 10 Crouch
- 11 Tyree
- 12 Knight
- 13 Pinkerton
- 14 Valasco
- 15 Large
- 16 Soto
- 17 Worrell
- 18 Yubeta
- 19 K. Prior
- 20 D. Zanchi
- 21 M. Carrasco

- 22 2. The Clerk of the Court shall send Plaintiff twenty-three (23) USM-285 forms,
- 23 twenty-three (23) summonses, a Notice of Submission of Documents form, an
- 24 instruction sheet and a copy of the complaint filed May 4, 2009.
- 25 3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the
- 26 attached Notice of Submission of Documents and submit the completed Notice to the
- 27 Court with the following documents:
- 28 a. Completed summons;

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- b. One completed USM-285 form for each defendant listed above; and
 - c. Twenty-four (24) copies of the endorsed complaint filed May 4, 2009.
4. Plaintiff need not attempt service on the 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: September 30, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE