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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TIMOTHY S. DAUBERT,)	1:09:1338 AWI GSA
)	
)	
Plaintiff,)	ORDER DIRECTING PLAINTIFF
)	TO SUBMIT USM-285 FORMS
v.)	
)	
CITY OF LINDSAY,)	
)	
)	
Defendant.)	

Plaintiff Timothy S. Daubert (“Plaintiff”) is proceeding pro se and inform a pauperis in this Americans with Disabilities Act (“ADA”) action filed on July 30, 2009. He names the City of Lindsay as the Defendant. On August 20, 2009, the Court determined that Defendant be served with the complaint and that Plaintiff complete and return copies of Form USM-285. Plaintiff did so on August 25, 2009. However, the Court requires a duplicate copy of the forms submitted by Plaintiff so that Defendant City of Lindsay may be served.

Accordingly, IT IS HEREBY ORDERED that :

1. The Clerk of the Court shall send Plaintiff one USM-285 form, one summons, an instruction sheet and a copy of the complaint filed on July 30, 2009.
2. 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:

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- a. One completed summons;
 - b. One completed USM-285 form for the Defendant; and
 - c. Two copies of the complaint filed on July 30, 2009.
3. Plaintiff need not attempt service on Defendant 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 Defendant pursuant to Federal Rule of Civil Procedure 4 without payment of costs.
4. A failure to comply with this Order will result in a Recommendation that this action be dismissed.

IT IS SO ORDERED.

Dated: March 29, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE