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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

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|--------------------|---|---|
| BENNY FORD, |) | Case No.: 1:10-cv-01024-SAB (PC) |
| |) | |
| Plaintiff, |) | |
| |) | ORDER DENYING PLAINTIFF’S |
| v. |) | MOTION FOR STATUS OF SERVICE AS TO |
| |) | DEFENDANT R. MARSHALL |
| G. WILDEY, et al., |) | |
| |) | [ECF No. 28] |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |

Plaintiff Benny Ford is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

This action is proceeding on Plaintiff’s complaint filed on June 7, 2010, based on Plaintiff’s Eighth Amendment claims against Defendant G. Wildey for excessive force and Defendant R. Marshall for failure to protect.

On November 1, 2013, Defendant Wildey filed an answer to the complaint, and a discovery and scheduling order was issued on November 4, 2013.

Now pending before the Court is Plaintiff’s motion for the status of service as to Defendant R. Marshall, filed on November 14, 2013.

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1 Plaintiff is advised that the U.S. Marshal has not yet effective service of process and it is
2 currently in the process of serving Defendant R. Marshall by mail. Plaintiff will be provided the status
3 of such service as soon as it is made available. Therefore, his request for status of service is DENIED.
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5 IT IS SO ORDERED.

6 Dated: November 26, 2013


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UNITED STATES MAGISTRATE JUDGE