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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL EVAN BAKER,

CASE NO. 1:11-cv-00129-AWI-SMS

Plaintiff,

ORDER GRANTING PLAINTIFF'S
MOTION TO PROCEED *IN FORMA*
PAUPERIS AND AUTHORIZING
SERVICE OF COMPLAINT

v.

CITY OF MODESTO, et al.,

Defendants.

(Doc. 4)

By a motion filed February 9, 2011, Plaintiff Michael Evan Baker seeks to proceed *in forma pauperis*. Plaintiff has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). Accordingly, the Court GRANTS Plaintiff's motion to proceed *in forma pauperis*.

In addition, this Court has screened Plaintiff's complaint and found that it states cognizable claims. Accordingly, it is HEREBY ORDERED that:

1. Plaintiff may proceed *in forma pauperis*.
2. Service shall be initiated on the Defendants.
3. The Clerk of the Court shall send Plaintiff one (1) copy of this order, five (5) USM-285 forms, five (5) summons, a Notice of Submission of Documents form, an instruction sheet, and an endorsed copy of the complaint filed on January 25, 2011.

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1 4. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the
2 attached USM-285 forms and submit the completed Notice to the Court with the
3 following documents:

- 4 a. One completed summons for each Defendant;
- 5 b. One completed USM-285 for each Defendant; and
- 6 c. One copy of the endorsed complaint filed January 25, 2011, for each
7 Defendant.

8 5. Plaintiff should not attempt service on the Defendants and should not request
9 waiver of service. Upon receipt of the above-described documents, the Court will
10 direct the United States Marshal to serve the Defendants pursuant to Federal Rule
11 of Civil Procedure 4 without payment of costs.

12 6. **Failure to comply with this order will result in dismissal of this action.**

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16 IT IS SO ORDERED.

17 **Dated: February 10, 2011**

18 /s/ Sandra M. Snyder
19 UNITED STATES MAGISTRATE JUDGE
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