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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

STEPHEN GARCIA,

CASE NO. 1:11-cv-1612-AWI-SMS

Plaintiff,

v.

ORDER DIRECTING SERVICE BY THE  
UNITED STATES MARSHALS SERVICE  
WITHOUT PREPAYMENT OF COSTS

SYLVIA MARTINEZ and JOHN DOE,

Defendants.

(Doc. 15)

PLAINTIFF is proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915. The Court previously found service of the complaint appropriate and ordered Plaintiff to provide the necessary documents and information for service of process. Accordingly, pursuant to Federal Rule of Civil Procedure 4, it is HEREBY ORDERED that:

1. The following parties and governmental entities shall be served: Defendant Sylvia Martinez.
2. For service of each Defendant or Governmental party to be served, the Clerk of the Court is directed to forward the following documents to the United States Marshals Service:
  - (1) One completed and issued summons;
  - (2) One completed USM-285 form;
  - (3) One copy of the second amended complaint filed on June 25, 2012, and one copy of the Court’s order of September 5, 2012, plus an extra copy of each document for the Marshals Service; and

1 (4) One copy of this order, plus an extra copy for the Marshals Service.

2 3. Within ten days from the date of this order, the Marshals Service is directed to  
3 serve each Defendant listed in paragraph one above with a copy of the summons  
4 and complaint as well as a copy of this order by registered or certified mail, return  
5 receipt requested.

6 4. Within ten days after service is effected, the United States Marshal shall file the  
7 return of service for each Defendant upon which service is required. Costs shall  
8 be enumerated on the USM-285 form and shall include the costs incurred by the  
9 Marshals Service for photocopying any additional copies of the summons and  
10 complaint and for preparing new USM-285 forms, if required.

11 5. The United States Marshal is directed to retain copies of the summons and  
12 complaint in his file for future use.

13 6. Despite the means by which a defendant has been served, each defendant is  
14 required to reply to the complaint. 42 U.S.C. § 1997e(g)(2).

15  
16 IT IS SO ORDERED.

17 **Dated:** February 6, 2013

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE