

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BILLY D. MOORE,

CASE NO. 1:11-cv-01620-LJO-SMS

Plaintiff,

ORDER FINDING SERVICE OF AMENDED
COMPLAINT APPROPRIATE AND SETTING
FORTH PROCEDURE FOR SERVICE OF
DEFENDANTS

v.

ATWATER POLICE DEPT.;
OFFICERS RICHARDS & WISDOM,

(Doc. 14)

Defendants.

On November 7, 2011, Plaintiff Billy D. Moore, proceeding *pro se* and *in forma pauperis*, filed an amended complaint alleging civil rights violations under 42 U.S.C. § 1983. This Court has screened Plaintiff’s amended complaint and concludes that the complaint states claims against Defendants.

Accordingly, it is HEREBY ORDERED that:

1. Service shall be initiated on the Defendants, Officer Richards, Officer Wisdom, and the Atwater Police Department.
2. The Clerk of the Court shall send Plaintiff three (3) USM-285 forms, three (3) summonses, a Notice of Submission of Documents form, an instruction sheet and a copy of the corrected amended complaint as filed by Plaintiff pursuant to this Order.
3. Within **thirty (30) days** of the date on which the Clerk of Court mails to Plaintiff the materials listed in paragraph 2, Plaintiff shall complete the attached Notice of

1 Submission of Documents and submit the completed Notice to the Court with the
2 following documents:

- 3 a. One completed summons for each Defendant listed above;
- 4 b. One completed USM-285 form for each Defendant listed above; and
- 5 c. Three (3) copies of the endorsed corrected amended complaint.

6 4. Plaintiff should not attempt service on the Defendants and should not request
7 waiver of service. Upon receipt of the documents set forth in paragraph 3, the
8 Court will direct the United States Marshal to serve the above-named Defendants
9 pursuant to Federal Rule of Civil Procedure 4 without payment of costs.

10 6. **The failure to comply with this order will result in dismissal of this action.**

11
12 IT IS SO ORDERED.

13 **Dated:** November 15, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE