

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

MICHAEL STEVEN KING,  
Plaintiff,  
vs.  
DEATHRIAGE, et al.,  
Defendants.

1:14-cv-00111-LJO-GSA-PC  
ORDER DENYING REQUEST TO  
INITIATE FURTHER SERVICE OF  
PROCESS AS MOOT  
(Doc. 19.)

Michael Steven King (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. This action now proceeds with the original Complaint filed by Plaintiff on January 27, 2014, against defendants Sergeant Deathriage, Correctional Officer (C/O) J. Martinez and C/O Briones for use of excessive physical force, and against defendant LVN A. Angulo for denial of medical care.<sup>1</sup> (Doc. 1.)

On December 29, 2014, Plaintiff filed a request for the court to provide him with new USM-285 forms to initiate further service of process. (Doc. 19.) Plaintiff explains that he received a letter from defense counsel dated December 11, 2014, which raised his concerns whether service of process upon Defendants had been properly completed. (Doc. 19, Exh. A.)

---

<sup>1</sup>On October 9, 2014, the Court issued an order dismissing all other claims and defendants from this action, for failure to state a claim. (Doc. 11.)

1 Plaintiff is advised that service of process has been properly completed for all four of  
2 the Defendants in this action. On December 17, 2014, all four of the Defendants filed waivers  
3 of service, and on December 29, 2014, all four of the Defendants filed an Answer to the  
4 Complaint. (Docs. 15, 16.) Therefore, no further service of process is required, and Plaintiff's  
5 request shall be denied as moot.

6 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request to initiate further  
7 service of process is DENIED as moot.

8  
9 IT IS SO ORDERED.

10 Dated: May 16, 2015

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE