

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

10 ARCHIE CRANFORD, Case No. 1:14-cv-01115-SKO (PC)
11 Plaintiff, ORDER DENYING MOTION FOR
12 v. SERVICE
13 RUTH MUTHIMA, (Doc. 6)
14 Defendant

16 Plaintiff Archie Cranford, a civil detainee proceeding pro se and in forma pauperis, filed
17 this civil rights action pursuant to 42 U.S.C. § 1983 on July 10, 2014. On October 17, 2014,
18 Plaintiff filed a document entitled “Motion Discovery Complaint.” (Doc. 6.)

19 Although Plaintiff's motion lacks clarity and he incorrectly states that his complaint was
20 filed two and one half years ago, the motion appears to arise from Plaintiff's concern that Federal
21 Rule of Civil Procedure 4(m) requires the complaint be served within one-hundred twenty days.
22 However, the Court controls the timing of service in cases such as this, and the complaint will not
23 be served until it is screened and the Court determines the claims asserted are cognizable. 28
24 U.S.C. § 1915(e)(2). Given this procedure and the Court's voluminous docket, the Rule 4(m)
25 "good cause" exception applies automatically and Plaintiff need not be concerned his case will be
26 dismissed for lack of service within one-hundred twenty days.

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1 Accordingly, Plaintiff's motion, construed as one seeking service of process light of the
2 Rule 4(m) one-hundred twenty day service rule, is HEREBY DENIED.

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5 IT IS SO ORDERED.
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Dated: November 6, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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