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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA

9
10 CLIFTON HUTCHINS, JR.,

Case No. 1:15-cv-01537-SKO (PC)

11 Plaintiff,

ORDER DENYING MOTION FOR
SERVICE AS PREMATURE

12 v.

(Doc. 8)

13 BILL LOCKYER, et al.,

14 Defendants.
15 _____/

16 Plaintiff Clifton Hutchins, Jr., a state prisoner proceeding pro se and in forma pauperis,
17 filed this civil rights action pursuant to 42 U.S.C. § 1983 on September 28, 2015. On October 30,
18 2015, Plaintiff filed a motion seeking an order directing the United States Marshal to serve his
19 complaint.

20 Plaintiff is entitled to rely on the Marshal for service, 28 U.S.C. § 1915(d); Fed. R. Civ. P.
21 4(c)(3), but his complaint will not be served until it has been screened and determined to state
22 cognizable claims for relief, 28 U.S.C. § 1915A. (Doc. 5, 1st Info. Order, § III.) Based on the
23 foregoing, Plaintiff's motion is HEREBY DENIED as premature.

24 IT IS SO ORDERED.

25 Dated: November 30, 2015

26 /s/ Sheila K. Oberto
27 UNITED STATES MAGISTRATE JUDGE
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