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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SHAIN C. HOF,

Plaintiff

v.

SCOTT KERNAN, et al.,

Defendants.

**CASE NO. 1:16-cv-1169-LJO-MJS (PC)**

**ORDER**

**(1) GRANTING PLAINTIFF'S MOTION  
TO CONTINUE, AND**

**(2) DIRECTING PLAINTIFF TO  
SUBMIT SERVICE DOCUMENTS**

**(ECF NO. 11)**

**THIRTY-DAY DEADLINE**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On November 2, 2016, the Honorable Lawrence J. O'Neill screened Plaintiff's complaint and found a cognizable Eighth Amendment claim against Dr. Aronjit Kaleka. (ECF No. 10.) Plaintiff was directed to file a first amended complaint or notify the court of his willingness to proceed on the cognizable claim in his complaint. Plaintiff has now filed a motion to continue, which the undersigned construes as a notice of Plaintiff's willingness to proceed on the cognizable claim against Dr. Kaleka. (ECF No. 11.)

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to continue (ECF No. 11) is GRANTED;
2. Service should be initiated on Defendant Dr. Aronjit Kaleka.
3. The Clerk of the Court should send Plaintiff one (1) USM-285 form, one summons, a Notice of Submission of Documents form, an instruction sheet, and a copy of the Complaint, filed July 27, 2016 (ECF No. 1);
4. Within thirty (30) days from the date of this order, Plaintiff shall complete the attached Notice of Submission of Documents and submit the completed Notice to the Court with the following documents:
  - a. One (1) completed summons;
  - b. One (1) completed USM-285 form for the Defendant; and
  - c. Two (2) copies of the endorsed Complaint, filed July 27, 2016;
5. Plaintiff need not attempt service on the Defendant and need not request waiver of service. Upon receipt of the above-described documents, the Court will direct the United States Marshal to serve the above-named Defendant pursuant to Federal Rule of Civil Procedure 4 without payment of costs; and
6. The failure to comply with this order may result in a recommendation to dismiss this action.

IT IS SO ORDERED.

Dated: December 17, 2016

*/s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE