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3 **UNITED STATES DISTRICT COURT**

4 EASTERN DISTRICT OF CALIFORNIA

5
6 DAVID ANDERSON,
7 Plaintiff,

8 v.

9
10 COUNTY OF MADERA, et al.,
11 Defendants.

CASE NO. 1:16-cv-01629-DAD-SKO

**ORDER REGARDING SERVICE OF
DEFENDANTS AND CONTINUING
SCHEDULING CONFERENCE**

(Doc. 10)

12 **ORDER**

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14 The Court is in receipt of pro se Plaintiff’s response to the Court’s minute order entered
15 July 11, 2017 (Doc. 9), continuing the scheduling conference and ordering proof of service of the
16 amended complaint on Defendants be filed upon the docket. In the response, Plaintiff indicates
17 that he intends to continue to prosecute his case against the unserved defendants, and requests that
18 the Court effectuate service upon those defendants. (Doc. 10.) Plaintiff also requests that the
19 Court continue the scheduling conference currently set for September 19, 2017. (*Id.*)

20 Plaintiff is advised that he, not the Court, “is responsible for having the summons and
21 complaint served within the time allowed by Rule 4(m) and must furnish the necessary copies to
22 the person who makes service.”¹ Fed. R. Civ. P. 4(c)(1); *see also* Fed. R. Civ. P. 4(m) (“If a
23 defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the
24 action without prejudice against that defendant or order that service be made within a specified
25 time.”). Accordingly, Plaintiff is hereby **ORDERED to file proof of service of the amended**

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27 ¹ The payment referenced in Plaintiff’s response is the fee assessed by the Court to file a civil case. For further
28 information, the Court refers Plaintiff to “Pro Se Package: A Simple Guide to Filing a Civil Action” prepared by the
Office of the Clerk of Court, found online at
[http://www.caed.uscourts.gov/caednew/assets/File/Combined%20Pro%20Se%20Packet\(1\).pdf](http://www.caed.uscourts.gov/caednew/assets/File/Combined%20Pro%20Se%20Packet(1).pdf).

1 **complaint on Defendants by September 19, 2017.** In order to permit time for Plaintiff to
2 effectuate service, the scheduling conference currently set for September 19, 2017, is **VACATED**
3 **and RESET for October 31, 2017, at 10:15 a.m.**

4 Finally, the Court DIRECTS the Clerk to send a copy of this order to Plaintiff at his
5 address listed on the docket for this case.

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7 IT IS SO ORDERED.

8 Dated: August 2, 2017

/s/ Sheila K. Oberto
9 UNITED STATES MAGISTRATE JUDGE