

1
2
3
4
5
6
7
8
9
10
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 TIMOTHY CLEVELAND,

12 Plaintiff,

13 v.

14 THOMAS C. HUNTON, et al.,

15 Defendants.

Case No. 1:16-cv-01732-AWI-SAB

ORDER DIRECTING CLERK OF THE
COURT TO FORWARD PLAINTIFF THE
NECESSARY SERVICE OF PROCESS
FORMS FOR COMPLETION AND
RETURN WITHIN THIRTY DAYS

16
17 On November 16, 2016, Plaintiff Timothy Cleveland ("Plaintiff"), proceeding pro se and
18 in forma pauperis, filed this civil rights action pursuant to Bivens v. Six Unknown Named
19 Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), which provides a remedy for
20 violation of civil rights by federal actors. On April 25, 2017, Senior District Judge Anthony W.
21 Ishii ordered that certain claims and defendants were dismissed from this action and the matter
22 was referred to the undersigned to initiate service of process. This action is proceeding on the
23 second amended complaint filed March 14, 2017, against Defendant Thomas C. Hunton for
24 declaratory relief on Plaintiff's Administrative Procedures Act claim regarding the decision to
25 accelerate his 2014 loan.

26 Accordingly, it is HEREBY ORDERED that:

27 1. Service shall be initiated on the following defendant:

28 **THOMAS C. HUNTON**

- 1 2. The Clerk of the Court shall send Plaintiff one (1) USM-285 forms, one (1)
2 summons, a Notice of Submission of Documents form, an instruction sheet and a
3 copy of the Second Amended Complaint filed March 14, 2017 (ECF No. 12);
- 4 3. Within thirty (30) days from the date of this order, Plaintiff shall complete the
5 attached Notice of Submission of Documents and submit the completed Notice to
6 the Court with the following documents:
- 7 a. One completed summons for each defendant listed above;
- 8 b. One completed USM-285 form for each defendant listed above;
- 9 c. Two (2) copies of the endorsed Second Amended Complaint filed March
10 14, 2017;
- 11 4. Plaintiff need not attempt service on the defendant and need not request waiver of
12 service. Upon receipt of the above-described documents, the Court will direct the
13 United States Marshal to serve the above-named defendant pursuant to Federal
14 Rule of Civil Procedure 4 without payment of costs; and
- 15 5. The failure to comply with this order will result in dismissal of this action.

16
17 IT IS SO ORDERED.

18 Dated: April 27, 2017


UNITED STATES MAGISTRATE JUDGE