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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JONATHAN L. DELL,
Plaintiff,
v.
R. ESPINOZA et al.,
Defendants.

CASE No. 1:16-cv-1769-MJS (PC)
ORDER GRANTING PLAINTIFF'S
MOTION FOR FORMS
(ECF NO. 11)
THIRTY-DAY DEADLINE

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the jurisdiction of a magistrate judge. (ECF No. 8.)

On February 28, 2017, Plaintiff was directed to submit certain documents necessary to effectuate service on Defendants Correctional Officers R. Espinoza and R. Roque, Sgt. C. James, Dr. S. Barnett, and Lt. L.A. Martinez. (ECF No. 11.) That Order also directed the Clerk of the Court to send Plaintiff five (5) USM-285 forms, five (5) summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed November 22, 2016.

Plaintiff has now filed a motion requesting another set of USM-285 and summons forms. (ECF No. 12.) This letter is signed February 18, 2017, thereby pre-dating the February 28, 2017, Order, but it was filed on March 9, 2017. Since the timing of Plaintiff's

1 motion renders it unclear if Plaintiff did in fact receive the forms that the Clerk of the
2 Court was directed to send, the undersigned will direct the Clerk to re-send these
3 documents.

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. Plaintiff's motion for forms (ECF No. 12) is GRANTED; and
- 6 2. The Clerk of the Court shall re-send Plaintiff five (5) USM-285 forms, five
7 (5) summons, a Notice of Submission of Documents form, an instruction
8 sheet and a copy of the complaint filed November 22, 2016;
- 9 3. Within thirty (30) days from the date of this order, Plaintiff shall complete
10 and return to the Court the notice of submission of documents along with
11 the following documents:
 - 12 a. Completed summons,
 - 13 b. One completed USM-285 form for Correctional Officers R. Espinoza
14 and R. Roque, Sgt. C. James, Dr. S. Barnett, and Lt. L.A. Martinez;
15 and
 - 16 c. Six (6) copies of the endorsed complaint filed November 22, 2016;
- 17 4. Upon receipt of the above-described documents, the Court shall direct the
18 United States Marshal to serve the above-named Defendants pursuant to
19 Federal Rule of Civil Procedure 4 without payment of costs; and
- 20 5. Failure to comply with this order may result in the dismissal of this action.

21
22 IT IS SO ORDERED.

23 Dated: April 4, 2017

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