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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

RYAN P. MADDEN,  
Plaintiff,  
v.  
HICKS, et al.,  
Defendants.

Case No. 1:18-cv-00255-DAD-BAM (PC)  
ORDER GRANTING PLAINTIFF’S MOTION  
SEEKING RE-SERVICE OF COURT’S  
SCREENING ORDER AND EXTENSION OF  
TIME TO COMPLETE SERVICE  
DOCUMENTS  
(ECF No. 17)  
ORDER DISCHARGING MARCH 7, 2019  
ORDER TO SHOW CAUSE  
(ECF No. 16)  
ORDER DIRECTING CLERK’S OFFICE TO  
RE-SERVE JANUARY 22, 2019 SERVICE  
ORDER AND ALL ATTACHMENTS  
**THIRTY (30) DAY DEADLINE**

Plaintiff Ryan P. Madden (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s complaint, filed February 22, 2018, against Defendant Hicks for excessive force and assault and battery claims, and against Defendants Silva and Hicks for California Bane Act and retaliation claims.

On January 22, 2019, the Court issued an order authorizing service of Plaintiff’s complaint and forwarding service documents to Plaintiff for completion and return within thirty days. (ECF No. 15.) Following Plaintiff’s failure to comply, on March 7, 2019, the Court issued

1 an order for Plaintiff to submit completed service documents or show cause why this action  
2 should not be dismissed for failure to prosecute. (ECF No. 16.)

3 On March 26, 2019, Plaintiff filed the instant motion seeking re-service of the Court's  
4 service order and an extension of time to file completed service documents. (ECF No. 17.)  
5 Plaintiff states that he never received a copy of the Court's January 22, 2019 order, and therefore  
6 was unaware of the pending deadline until he received the Court's March 7, 2019 order to show  
7 cause. Plaintiff further states that he is attempting to retrieve a copy of his legal mail log to  
8 corroborate these statements. Plaintiff requests a new copy of the Court's service order, all  
9 service documents he must complete, and an extension of time to file the completed service  
10 documents. (Id.) Having considered Plaintiff's moving papers, the Court finds good cause to  
11 grant the requested relief and extension of time.

12 Accordingly, it is HEREBY ORDERED that:

- 13 1. Plaintiff's motion for re-service of the Court's January 22, 2019 service order and  
14 extension of time to file completed service documents, (ECF No. 17), is GRANTED;
- 15 2. The March 7, 2019 order to show cause, (ECF No. 16), is DISCHARGED;
- 16 3. The Clerk of the Court is DIRECTED to re-serve the Court's January 22, 2019 service  
17 order, (ECF No. 15), including two (2) USM-285 forms, two (2) summonses, a Notice of  
18 Submission of Documents form, an instruction sheet, and a copy of the complaint filed on  
19 February 22, 2018, on Plaintiff at his current address of record;
- 20 4. Within **thirty (30) days** from the date of service of this order, Plaintiff shall submit  
21 completed service documents as explained in the Court's January 22, 2019 order; and  
22 5. **Plaintiff's failure to comply with this order will result in dismissal of this action.**

23  
24 IT IS SO ORDERED.

25 Dated: March 27, 2019

26 /s/ Barbara A. McAuliffe  
27 UNITED STATES MAGISTRATE JUDGE  
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