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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CESAR PIMENTEL,

Plaintiff,

v.

HANFORD POLICE OFFICERS ALFRED
RIVERA and MARK CARRILLO,

Defendants. /

Case No. 1:19-cv-01088-AWI-SKO

**ORDER FINDING SERVICE OF
COMPLAINT APPROPRIATE AND
FORWARDING SERVICE DOCUMENTS
TO PLAINTIFF FOR COMPLETION
AND RETURN WITHIN THIRTY DAYS**

(Docs. 4, 5, 6)

THIRTY (30) DAY DEADLINE

On August 9, 2019, Plaintiff Cesar Pimentel, proceeding *pro se*, filed a civil rights complaint against Defendants Hanford Police Officers Alfred Rivera and Mark Carrillo alleging a failure to provide medical assistance claim and a violation of due process under 42 U.S.C. § 1983. (Doc 1.) Plaintiff's Complaint was screened pursuant to 28 U.S.C. § 1915(e)(2), and he was given the choice to file a first amended complaint or to proceed on his failure to provide medical assistance claim and dismiss his due process claim. (Doc. 4.) On September 27, 2019, Plaintiff notified the Court that he wished to proceed only on his failure to provide medical assistance claim (*see* Doc. 5), and, as such, the Court entered an order regarding the dismissal of Plaintiff's due process claim on October 3, 2019 (*see* Doc. 6).

Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate on the following defendants:

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Hanford Police Officer Alfred Rivera

Hanford Police Officer Mark Carrillo

2. The Clerk of Court shall send Plaintiff two (2) USM-285 forms, two (2) summonses, a Notice of Submission of Documents form, an instruction sheet, and a copy of the complaint, filed August 9, 2019 (Doc. 1).

3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the attached Notice of Submission of Documents and submit it to the Court with the following documents:

- a. A completed summons for each defendant listed above;
- b. A completed USM-285 form for each defendant listed above; and
- c. Three (3) copies of the endorsed complaint, filed August 9, 2019 (Doc. 1).

4. Plaintiff need not attempt service on the defendants 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 defendants pursuant to Federal Rule of Civil Procedure without payment of costs.

5. **The failure to comply with this order will result in a recommendation that this action be dismissed for failure to obey a court order and failure to prosecute.**

IT IS SO ORDERED.

Dated: **October 4, 2019**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE