

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN WHITFIELD,

Plaintiff,

v.

KHALIB SALEH et al.,

Defendants.

Case No. 1:22-cv-00141-ADA-CDB

ORDER (1) GRANTING PLAINTIFF'S
MOTION TO ISSUE SUMMONSES; (2)
AUTHORIZING SERVICE OF COMPLAINT,
AND FORWARDING SERVICE
DOCUMENTS TO PLAINTIFF FOR
COMPLETION AND RETURN WITHIN
THIRTY DAYS; AND (3) RESETTling
SCHEDULING CONFERENCE

(Doc. 6)

On March 3, 2022, the Court granted Plaintiff Steven Whitfield's application to proceed *in forma pauperis*. (Doc. 4.) Civil New Case Documents were issued but summonses were not prepared. (Doc. 5.) Given Plaintiff is proceeding *in forma pauperis*, the Court shall now authorize service and direct Plaintiff to complete service documents for the U.S. Marshall to effectuate service.

Based on the Plaintiff's motion (Doc. 6) and posture of the case, IT IS HEREBY ORDERED:

1. Service shall be initiated on the following Defendants: Khalib Saleh, Kimberly Long and Darrell Long;
2. The Clerk of Court is DIRECTED to (a) issue summonses as to Defendants Khalib

Saleh, Kimberly Long and Darrell Long, and (b) serve Plaintiff with the summonses, three (3) USM-285 forms, a Notice of Submission of Documents form, an instruction sheet, and a copy of the complaint filed February 2, 2022 (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 the completed Notice to the Court with the following documents:

- a. One completed summons for each Defendant listed above;
- b. One completed USM-285 form for each Defendant listed above; and
- c. Three (3) copies of the endorsed complaint filed February 2, 2022;

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 4 without payment of costs;

5. The Initial Scheduling Conference, currently set for August 17, 2023, at 10:00 a.m., is **ADVANCED** to February 23, 2023, at 9:00 a.m., before U.S. Magistrate Judge Christopher D. Baker. The parties are reminded of their obligation to meet and confer and file a Joint Scheduling Report at least one week prior to the Conference (*see* Doc. 5); and

6. **The failure by Plaintiff to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: **November 21, 2022**


UNITED STATES MAGISTRATE JUDGE