(PC) Bjorlin v. Saro				
1				
2				
3				
4				
5				
6				
7				
8	8 IN THE UNITED STATES DISTRICT COURT			
9	FOR THE EASTERN DISTRICT OF CALIFORNIA			
10				
11	DANIEL P. BJORLIN, No. CIV S-08-0914-LKK-CMK-P			
12	Plaintiff,			
13	vs. <u>ORDER</u>			
14	SARO,			
15	Defendant.			
16	/			
17	Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant			
18	to 42 U.S.C. § 1983. Pending before the court is plaintiff's amended complaint (Doc. 17). The			
19	court is required to screen complaints brought by prisoners seeking relief against a governmental			
20	entity or officer or employee of a governmental entity. See 28 U.S.C. § 1915A(a).			
21	In his complaint, Plaintiff claims defendant Saro violated his rights under the			
22	Fourth and Eighth Amendments by subjecting him to a strip search for the purpose of harassing			
23	Plaintiff.			
24	The District Judge has found the amended complaint appears to state a cognizable			
25	claim for relief pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations are			
26	proven, plaintiff has a reasonable opportunity to prevail on the merits of this action. The court,			
	1			

Doc. 23

therefore, finds that service is appropriate and will direct service by the U.S. Marshal without pre-payment of costs. Plaintiff is informed, however, that this action cannot proceed further until plaintiff complies with this order. Plaintiff is warned that failure to comply with this order may result in dismissal of the action. See Local Rule 11-110.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The court authorizes service on defendant Saro;
- The Clerk of the Court shall send plaintiff one USM-285 form for each defendant identified above, one summons, an instruction sheet, and a copy of the amended complaint;
- 4. The Clerk of the Court is also directed to serve upon plaintiff a copy of the court's local rules; and
- 5. Within 30 days of the date of service of this order, plaintiff shall complete the attached Notice of Submission of Documents and submit the following documents to the court:
 - a. The completed Notice of Submission of Documents;
 - b. One completed summons;
 - c. One completed USM-285 form(s); and
 - d. Two copies of the endorsed amended complaint.

DATED: October 20, 2009

CRAJG M. KELLISON

UNITED STATES MAGISTRATE JUDGE

1			
2			
3			
4			
5			HE UNITED STATES DISTRICT COURT HE EASTERN DISTRICT OF CALIFORNIA
6	DANIEL P. E	BJORLIN, Plaintiff,	No. CIV S-08-0914-LKK-CMK-P
7	vs. SARO,	,	
8	Si III.	Defendant.	
9		NO	OTICE OF SUBMISSION OF DOCUMENTS
10			by submits the following documents in compliance with the court's
11	order:	1	
12			completed summons form; completed USM-285 form(s); and copies of the amended complaint.
13	DATED:		copies of the amenaed complaint.
14	Ditted:		Plaintiff
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			