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

MICHAEL JEROME MITCHELL,)	2:08-cv-01658-HDM(DAD)
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
SNOWDEN, et al.,)	
)	
Defendants.)	
_____)	

Plaintiff is a state prisoner proceeding pro se. In its initial screening order dated June 15, 2009, the court dismissed all of plaintiff's claims against defendants Engellemer and John/Jane Doe with leave to amend. Plaintiff failed to amend his complaint.

Plaintiff's complaint was allowed to go forward as to defendants Snowden, Seaton, Largos, S. Vance, and Compton, on the basis that the complaint stated an Eighth Amendment claim as to those defendants.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's complaint will go forward as to defendants

1 Snowden, Seaton, Largos, S. Vance, and Compton.

2 2. Service is appropriate for the following defendants: (1)
3 Snowden; (2) Seaton; (3) Largos; (4) S. Vance; and (5) Compton.

4 3. Defendants Engellemer and John/Jane Doe are hereby
5 dismissed.

6 4. The Clerk of the Court shall send plaintiff five USM-285
7 forms, one summons, an instruction sheet and a copy of the
8 complaint filed July 18, 2008.

9 5. Within thirty days from the date of this order, plaintiff
10 shall complete the attached Notice of Submission of Documents and
11 submit the following documents to the court:

12 a. The completed Notice of Submission of Documents;

13 b. One completed summons;

14 c. One completed USM-285 form for each defendant listed
15 in number 2 above; and

16 d. Five copies of the endorsed complaint filed July 18,
17 2008.

18 6. Plaintiff need not attempt service on the defendants and
19 need not request waiver of service. Upon receipt of the above-
20 described documents, the court will direct the United States
21 Marshal to serve the above-named defendants pursuant to Federal
22 Rule of Civil Procedure 4 without payment of costs.

23 DATED: This 14th day of January, 2010.

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UNITED STATES DISTRICT JUDGE

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

MICHAEL JEROME MITCHELL,) 2:08-cv-01658-HDM(DAD)
)
Plaintiff,)
)
vs.) NOTICE OF SUBMISSION OF
) DOCUMENTS
)
SNOWDEN, et al.,)
)
Defendants.)
_____)

Plaintiff hereby submits the following documents in compliance
with the court's order filed _____:

- _____ completed summons form
- _____ completed USM-285 forms
- _____ copies of the _____
Complaint/Amended Complaint

DATED:

Plaintiff