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

ANNE SABETTA,

Plaintiff,

No. 2:08-cv-2181 JAM KJN PS

v.

THE NATIONAL RAILROAD
PASSENGER CORP., dba AMTRAK,
et al.,

ORDER

Defendants.

_____ /

Plaintiffs, who are proceeding without counsel and in forma pauperis, filed their amended complaint on September 3, 2009. (Dkt. No. 12.) The undersigned screened the complaint pursuant to 28 U.S.C. § 1915(e) and determined that service of the complaint on defendants would be appropriate once the United States District Judge assigned to this matter acted on certain proposed findings and recommendations. (See Dkt. No. 14.) In an order entered June 29, 2010, United States District Judge John A. Mendez adopted the undersigned’s proposed findings and recommendations and dismissed with prejudice plaintiffs’ claims for relief under 18 U.S.C. §§ 245(b) and 245(e). (See Dkt. No. 19.) Judge Mendez also adopted the undersigned’s additional proposed findings and recommendations and dismissed from this action with prejudice plaintiffs Bridgette Walker and Karl Wichelman. (Id.) Following Judge

1 Mendez's adoption of the proposed findings and recommendations, the undersigned now orders
2 service of the amended complaint, as modified.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The Clerk of the Court is directed to issue forthwith all process pursuant to
5 Federal Rule of Civil Procedure 4.

6 2. The Clerk of Court shall send plaintiff seven USM-285 forms, one
7 summons, an endorsed copy of plaintiff's amended complaint filed September 3, 2009
8 (Dkt. No. 12), this court's scheduling order, and the forms providing notice of the magistrate
9 judge's availability to exercise jurisdiction for all purposes.

10 3. Plaintiff is advised that to effectuate service, the U.S. Marshal will require:

11 a. One completed summons;

12 b. One completed USM-285 form for each defendant to be served;

13 c. A copy of the complaint for each defendant to be served, with an
14 extra copy for the U.S. Marshal; and

15 d. A copy of this court's scheduling order and related documents for
16 each defendant to be served.

17 4. Plaintiff shall supply the United States Marshal, within 30 days from the
18 date this order is filed, all information needed by the Marshal to effectuate service of process, and
19 *shall, within 10 days thereafter, file a statement with the court that such documents have been*
20 *submitted to the United States Marshal.*

21 5. The U.S. Marshal shall serve process, with copies of this court's
22 scheduling order and related documents, within 90 days of receipt of the required information
23 from plaintiff, without prepayment of costs. *The United States Marshal shall, within 10 days*
24 *thereafter, file a statement with the court that such documents have been served.* If the U.S.
25 Marshal is unable, for any reason, to effect service of process on any defendant, the Marshal shall
26 promptly report that fact, and the reasons for it, to the undersigned.

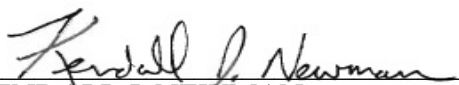
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6. The Clerk of Court shall serve a copy of this order on the United States Marshal, 501 "T" Street, Sacramento, CA 95814 (tel. 916-930-2030).

7. Plaintiff's failure to comply with this order may result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

DATED: July 6, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE