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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	BERLAN LYNELL DICEY,
11	Plaintiff, No.2:08-cv-2608-JFM (PC)
12	VS.
13	W. R. HARRISON, et al.,
14	Defendants. <u>ORDER</u>
15	/
16	Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action
17	filed pursuant to 42 U.S.C. § 1983. By order filed March 11, 2009, plaintiff's complaint was
18	dismissed with leave to file an amended complaint. Plaintiff has now filed an amended
19	complaint.
20	The amended complaint states a cognizable claim for relief pursuant to 42 U.S.C.
21	§ 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are proven,
22	plaintiff has a reasonable opportunity to prevail on the merits of this action.
23	In accordance with the above, IT IS HEREBY ORDERED that:
24	1. Service is appropriate for the following defendants: Correctional Officer W.
25	R. Harrison; Correctional Sergeant A. Pfadt.
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1	2. The Clerk of the Court shall send plaintiff two USM-285 forms, one summons,
2	an instruction sheet and a copy of the amended complaint filed April 9, 2009.
3	3. Within thirty days from the date of this order, plaintiff shall complete the
4	attached Notice of Submission of Documents and submit the following documents to the court:
5	a. The completed Notice of Submission of Documents;
6	b. One completed summons;
7	c. One completed USM-285 form for each defendant listed in number 1
8	above; and
9	d. Three copies of the endorsed amended complaint filed April 9, 2009.
10	4. Plaintiff need not attempt service on defendants and need not request waiver of
11	service. Upon receipt of the above-described documents, the court will direct the United States
12	Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4
13	without payment of costs.
14	DATED: April 14, 2009.
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16	UNTED STATES MAGISTRATE JJDGE
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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	BERLAN LYNELL DICEY,
11	Plaintiff, No. 2:08-cv-2608-JFM (PC)
12	VS.
13	W. R. HARRISON, et al., <u>NOTICE OF SUBMISSION</u>
14	Defendants. OF DOCUMENTS
15	/
16	Plaintiff hereby submits the following documents in compliance with the court's
17	order filed:
18	completed summons form
19	completed USM-285 forms
20	copies of the Amended Complaint
21	DATED:
22	
23	Plaintiff
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