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

ALLEN STORM,

No. CIV S-08-2708-FCD-CMK

Plaintiff,

vs.

ORDER

SHASTA COUNTY, et al.,

Defendants.

_____ /

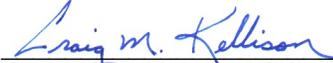
Plaintiff, who is proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed his complaint (Doc. 1) on November 12, 2008. He was granted leave to proceed in forma pauperis on December 24, 2008. The court is required to screen complaints brought by litigants who have been granted leave to proceed in forma pauperis. See 28 U.S.C. § 1915(e)(2). However, prior to the court screening plaintiff's complaint, the Clerk of the Court issued a summons on December 20, 2008.

This summons was issued in error as it was issued prior to the court completing the required screening of plaintiff's complaint. As such, it is to be disregarded and the Clerk of the Court is directed to strike it from the docket. Plaintiff is not to serve the defendants with the summons until directed to do so by the court. By separate order, the court will direct the Clerk of

1 the Court to issue a summons, if appropriate, and direct plaintiff regarding service of the
2 summons and complaint on the defendants. However, until service is authorized, plaintiff shall
3 not attempt service on the defendants.

4 IT IS SO ORDERED.

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6 DATED: January 2, 2009

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8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
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