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

10 GENE WOODHAM,

11 Plaintiff,

No. CIV S-09-0082 GGH P

12 vs.

13 RN DATOR, et al.,

14 Defendants.

ORDER

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 April 20, 2009 (docket # 9), various claims  
18 from plaintiff's amended complaint were dismissed with leave to file a second amended  
19 complaint. Plaintiff has now filed a second amended complaint.

20 The second amended complaint states a cognizable claim for relief pursuant to 42  
21 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are  
22 proven, 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: Registered Nurse (RN)  
25 Dator; RN Stormes; RN S. Wholer; Licensed Vocational Nurse (LVN) R. Cook; Dr. J. Soltanian-  
26 Zadeh; Dr. B. Williams.

2. The Clerk of the Court shall send plaintiff six (6) USM-285 forms, one summons, an instruction sheet and a copy of the second amended complaint filed April 30, 2009 (docket # 11).

3. Within thirty days from the date 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 for each defendant listed in number 1 above; and

d. Seven (7) copies of the endorsed second amended complaint filed April 30, 2009 (docket # 11).

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

DATED: July 22, 2009

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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

GENE WOODHAM,

Plaintiff,

No. CIV S-09-0082 GGH P

vs.

RN DATOR, et al.,

Defendants.

NOTICE OF SUBMISSION  
OF DOCUMENTS

\_\_\_\_\_ /

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

1 completed summons form

6 completed USM-285 forms

7 copies of the April 30, 2009 (docket # 11)  
Second Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff