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

LUIS LORENZO ARMENTERO,

Plaintiff,

No. CIV S-09-0503 KJM P

vs.

MIKE KNOWLES, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By order filed May 5, 2009, plaintiff's complaint was dismissed with leave to file an amended complaint. Plaintiff has now filed an amended complaint.

The amended complaint states a cognizable claims for relief pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b) against defendants Knowles and Cate for violations of the Eighth Amendment. If the allegations of the amended complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of his Eighth Amendment claims against these defendants.

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1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Service is appropriate for defendants Cate and Knowles.

3 2. The Clerk of the Court shall send plaintiff two USM-285 forms, one summons,
4 an instruction sheet and a copy of the amended complaint filed June 19, 2009.

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

7 a. The completed Notice of Submission of Documents;

8 b. One completed summons;

9 c. One completed USM-285 form for each defendant listed in number 1
10 above; and

11 d. Three copies of the endorsed amended complaint filed June 19, 2009.

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

16 DATED: November 23, 2009.

17 
18 U.S. MAGISTRATE JUDGE

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

LUIS LORENZO ARMENTERO,

Plaintiff,

No. CIV-S-09-0503 KJM P

vs.

MIKE KNOWLES, et al.,

NOTICE OF SUBMISSION

Defendants.

OF DOCUMENTS

_____ /

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

_____ completed summons form

_____ completed USM-285 forms

_____ copies of the _____
Amended Complaint

DATED:

Plaintiff