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

ERIC WICK,

Plaintiff,

No. CIV S-09-1027 EFB P

vs.

ANGELEA, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

Plaintiff's declaration makes the showing required by 28 U.S.C. § 1915(a)(1) and (2).

Accordingly, by separate order, the court directs the agency having custody of plaintiff to collect and forward the appropriate monthly payments for the filing fee as set forth in 28 U.S.C. § 1915(b)(1) and (2).

The court finds that, for the limited purposes of § 1915A screening, the complaint states cognizable claims for relief against all defendants.

///

1 Accordingly, it hereby is ordered that:

2 1. Plaintiff's request to proceed *in forma pauperis* is granted.

3 2. Plaintiff shall pay the statutory filing fee of \$350. All payments shall be collected in
4 accordance with the notice to the Director of the California Department of Corrections and
5 Rehabilitation filed concurrently herewith.

6 3. Service is appropriate for defendants Angelea, Prosper, Monroe, Gutierrez, Mejia,
7 Hirai, Grannis, McClelland, and Peck.

8 4. The Clerk of the Court shall send plaintiff nine USM-285 forms, one summons, an
9 instruction sheet and one copy of the April 16, 2009 pleading.

10 5. Within 30 days from service of this order, plaintiff shall complete the attached Notice
11 of Submission of Documents and submit it to the court with the completed summons and USM-
12 285 forms and ten copies of the endorsed April 16, 2009 pleading.

13 6. Upon receipt of the necessary materials, the court will direct the United States
14 Marshal to serve defendants Angelea, Prosper, Monroe, Gutierrez, Mejia, Hirai, Grannis,
15 McClelland, and Peck pursuant to Federal Rule of Civil Procedure 4 without payment of costs.
16 Failure to comply with this order will result in dismissal.

17 Dated: December 15, 2009.

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19 EDMUND F. BRENNAN
20 UNITED STATES MAGISTRATE JUDGE
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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIC WICK,

Plaintiff,

No. CIV S-09-1027 EFB P

vs.

ANGELEA, et al.,

NOTICE OF SUBMISSION OF DOCUMENTS

_____ /

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

filed _____:

- 1 completed summons form
- 9 completed forms USM-285
- 10 copies of the April 16, 2009 Complaint

Dated:

Plaintiff