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

CLARENCE SARGENT,

Plaintiff,

No. CIV S-09-1472 GGH P

vs.

P. STATTI,

Defendant.

ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. By Order, filed on August 7, 2009, this court found plaintiff's first amended complaint appropriate for service upon thirteen defendants. However, as plaintiff has pointed out in his September 25, 2009, request for an additional USM-285 form (in the form of a letter to the Clerk of the Court which the Clerk has construed as a motion), a fourteenth defendant was omitted. Therefore, the court now finds the first amended complaint also appropriate for service upon defendant Mendonca. Plaintiff has already submitted a USM-285 form for this defendant, but maintains that is the reason he neglected to provide such a form for defendant P. Statti, who had been found by the court as appropriate for service. Plaintiff seeks another USM-285 form in order to comply with the Order, filed on September 17, 2009, requiring plaintiff to fill out the form for defendant Statti in order to effect service.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Plaintiff's request (motion) that defendant Mendonca be identified as an
3 additional defendant appropriate for service (docket # 40) is granted, as is his request for an
4 additional USM-285 form;

5 2. The Clerk of the Court is directed to provide plaintiff with an additional USM-
6 285 form; and

7 3. The deadline for plaintiff to return a properly completed USM-285 form for
8 defendant Statti was set forth by the Order, filed on September 17, 2009 (docket # 37), and
9 remains in effect.

10 DATED: October 1, 2009

11 /s/ Gregory G. Hollows

12 _____
13 GREGORY G. HOLLOWES
14 UNITED STATES MAGISTRATE JUDGE

14 GGH:009
15 sarg1472.1sup