

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

TONY ASBERRY,

Plaintiff,

No. 2:09-cv-1494 MCE KJN P

vs.

MATHEW CATE, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel and in forma pauperis pursuant to 28 U.S.C. § 1915. By order filed December 28, 2010, the court determined that plaintiff's complaint states a potentially cognizable claim for relief against defendants Hernandez and Phelps. Although plaintiff was granted leave to file an amended complaint, he has chosen to proceed on his original complaint and has provided all information necessary to effect service of process on these defendants *except* copies of the complaint. Plaintiff was sent a copy of his file-endorsed complaint on December 28, 2010. (Dkt. No. 7; see also Dkt. Nos. 12, 15.) Plaintiff must now submit *three copies* of his endorsed complaint to authorize service of process by the United States Marshal.

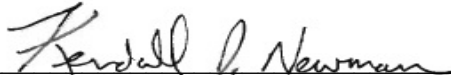
////

////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Accordingly, IT IS HEREBY ORDERED that plaintiff shall, within fourteen (14) days after service of this order, submit to the court three (3) copies of plaintiff's endorsed complaint filed on June 1, 2009 (Dkt. No. 1).

DATED: March 8, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

asbe1494.8.kjn.prvsnl