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

THAILYNN A. SENGOUTHAI,  
by and through her guardian ad  
litem, JENNY PHOTSIKHIP,

Plaintiff,

No. 2:10-cv-03291 KJN

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

ORDER

Plaintiff is represented by counsel in this matter. Plaintiff, by and through her mother, Jenny Photsikhip, filed a petition requesting that Ms. Photsikhip be appointed as plaintiff's guardian ad litem insofar as the prosecution of this case is concerned. (Dkt. No. 4.) Based on the petition, which makes the showing required by Federal Rule of Civil Procedure 17(c) and Local Rule 202(a), the undersigned grants plaintiff's petition for the appointment of Ms. Photsikhip as plaintiff's guardian ad litem.

Additionally, Ms. Photsokhip, as guardian ad litem for plaintiff, filed an application for leave to proceed without the prepayment of fees and costs, also referred to as an application to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915. (Dkt. No. 3.) Ms. Photsikhip's affidavit in support of the application demonstrates an inability to prepay fees and

1 costs or give security for them. Accordingly, the undersigned grants the request to proceed in  
2 forma pauperis. See 28 U.S.C. § 1915(a).

3 For the foregoing reasons, IT IS HEREBY ORDERED that:

4 1. The petition for appointment of Jenny Photsikhip as guardian ad litem for  
5 plaintiff (Dkt. No. 4) is granted. Jenny Photsikhip is appointed to act as guardian ad litem for  
6 plaintiff Thailynn A. Sengouthai and is authorized to prosecute this action on plaintiff's behalf.

7 2. Plaintiff's application to proceed in forma pauperis (Dkt. No. 3) is granted.

8 3. The Clerk of the Court is directed to serve the undersigned's scheduling  
9 order in Social Security cases.

10 4. The Clerk of the Court is further directed to serve a copy of this order on  
11 the United States Marshal.

12 5. Within fourteen days from the date of this order, plaintiff shall submit to  
13 the United States Marshal an original and five copies of the completed summons, five copies of  
14 the complaint, five copies of the scheduling order and a completed USM-285 form, *and shall file*  
15 *a statement with the court that such documents have been submitted to the United States*  
16 *Marshal.*

17 6. The United States Marshal is directed to serve all process without  
18 prepayment of costs not later than sixty days from the date of this order. Service of process shall  
19 be completed by delivering a copy of the summons, complaint, and scheduling order to the  
20 United States Attorney for the Eastern District of California, and by sending two copies of the  
21 summons, complaint, and scheduling order by registered or certified mail to the Attorney General  
22 of the United States at Washington, D.C. See Fed. R. Civ. P. 4(i)(1)(A) & (B). The Marshal  
23 shall also send a copy of the summons, complaint, and scheduling order by registered or certified  
24 mail to the Commissioner of Social Security, c/o Office of General Counsel, 6401 Security  
25 Blvd., Room 611, Altmeyer Bldg., Baltimore, MD 21235. See Fed. R. Civ. P. 4(i)(2). *The*

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1 *United States Marshal shall thereafter file a statement with the court that such documents have*  
2 *been served.*

3 IT IS SO ORDERED.

4 DATED: December 9, 2010

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE