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

JOHN ALLEN RAINWATER,

Plaintiff,

No. CIV S-11-0030 GGH P

vs.

JOHN McGINNISS, Sheriff, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a civil detainee proceeding pro se. He seeks relief pursuant to 42 U.S.C. § 1983. On February 22, 2011, the court found plaintiff stated cognizable claims and ordered that service documents be sent to plaintiff to begin the service process. On March 4, 2011, plaintiff filed a motion to vacate that order alleging that the certified copy of the complaint sent to him contained photocopy errors. However, on March 18, 2011, plaintiff submitted all the appropriate documents for service including two copies of the complaint. A review of the copies of the complaint provided by plaintiff indicate that they are accurate reproductions of his original complaint and defendants will also be able to view the complaint on the court's electronic filing system.

Therefore, the motion to vacate will be denied and the court will soon order the USM to begin service.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's March 4, 2011, motion to vacate (Doc. 8) is denied.

DATED: April 20, 2011

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

GGH:AB
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