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

DIANE CAHILL,

Plaintiff,

No. CIV 2:11-cv-1688-MCE-JFM (PS)

vs.

BANK OF AMERICA, NA, *et al.*,

Defendants.

ORDER

_____ /

Plaintiff is proceeding in this action pro se. By order filed November 8, 2011, plaintiff's complaint was dismissed with leave to file an amended complaint. Plaintiff has now filed an amended complaint.

Pursuant to 28 U.S.C. § 1915(e)(2), the court is directed to dismiss the case at any time if it determines the allegation of poverty is untrue, or the action is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against an immune defendant. The court cannot make this determination on the present record. Therefore, the court reserves decision on these issues until the record is sufficiently developed.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Service is appropriate for the following defendants: Bank of America, Reconstruct Company, Mortgage Electronic Registration Systems, Inc., American Home Mortgage Corp and FEPRS, LLC.

1 2. The Clerk of the Court shall send plaintiff 5 USM-285 forms, one summons,
2 an instruction sheet and a copy of the amended complaint filed November 22, 2011.

3 3. Within thirty days from the date of this order, plaintiff shall complete the
4 attached Notice of Submission of Documents and submit the following documents to the United
5 States Marshal:

6 a. The completed Notice of Submission of Documents;

7 b. One completed summons;

8 c. One completed USM-285 form for each defendant listed in number 1
9 above; and

10 d. 6 copies of the endorsed amended complaint filed November 22, 2011.

11 4. Plaintiff need not attempt service on defendants and need not request waiver of
12 service.

13 5. Within ten (10) days of submission of the documents to the United States
14 Marshal, plaintiff shall file a statement with the court that said documents have been submitted.

15 6. The Clerk of the Court is directed to serve a copy of this order on the U.S.
16 Marshal, 501 "T" Street, Sacramento, Ca., 95814.

17 DATED: February 6, 2012.

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20 **UNITED STATES MAGISTRATE JUDGE**

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

DIANE CAHILL,

Plaintiff,

No. CIV 2:11-cv-1688-MCE-JFM (PS)

vs.

BANK OF AMERICA, NA, *et al.*,

NOTICE OF SUBMISSION

Defendants.

OF DOCUMENTS

_____ /

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

_____ completed summons form

_____ completed USM-285 forms

_____ copies of the _____
Amended Complaint

DATED:

Plaintiff