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

SEAN SCHWARTZENGRABER,

Plaintiff,

Case No. 2:11-cv-1770 DAD

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

ORDER

Defendant.

\_\_\_\_\_ /

Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis. Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis will be granted.

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

1. Plaintiff’s application to proceed in forma pauperis is granted.
2. The Clerk of the Court is directed to issue process and to serve upon plaintiff the undersigned’s Scheduling Order and Order re Consent or Request for Reassignment for social security cases.
3. The Clerk of the Court is further directed to serve a copy of this order upon the United States Marshal.

1           4. Within fourteen (14) days from the date of this order, plaintiff shall submit to  
2 the United States Marshal a completed summons, a completed USM-285 form, sufficient copies  
3 of the summons and complaint for service of process in accordance with Federal Rule of Civil  
4 Procedure 4(i), and sufficient copies of the Scheduling Order and Order re Consent or Request  
5 for Reassignment issued in this case. Information regarding the number of copies currently  
6 required by the United States Marshal may be obtained from the United States Marshals Service,  
7 501 I Street, Suite 5600, Sacramento, CA 95814 (tel. 916-930-2030).

8           5. Within five (5) days after submitting the necessary documents to the United  
9 States Marshal for service or process, plaintiff shall file in this court a declaration stating the date  
10 on which the documents were submitted to the United States Marshal. Failure to file a timely  
11 declaration may result in an order imposing appropriate sanctions.

12           6. The United States Marshal is directed to serve process and copies of the  
13 undersigned's Scheduling Order and Order re Consent or Request for Reassignment without  
14 prepayment of costs not later than sixty (60) days from the date of this order. Service of process  
15 shall be completed by delivering all necessary documents to the United States Attorney for the  
16 Eastern District of California and by sending copies of the summons, complaint and court orders  
17 by registered or certified mail to the Attorney General of the United States at Washington, D.C.  
18 See Fed. R. Civ. P. 4(i)(1)(A) & (B). Copies of the summons, complaint and court orders shall  
19 also be served by registered or certified mail on the Commissioner of Social Security, c/o Office  
20 of General Counsel, 6401 Security Boulevard, Room 611, Altmeyer Building, Baltimore, MD  
21 21235. See Fed. R. Civ. P. 4(i)(2).

22 DATED: October 14, 2011.

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26 DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

25 DAD:kw  
26 ddad1/orders.socsec/schwartzengraber1770.ifp