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

GLEN ROE,

Plaintiff,

CIV S-11-2003 CKD

vs.

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. 28 U.S.C. § 1915(a).

The parties are advised that the undersigned was previously employed as the First Assistant United States Attorney for the Eastern District of California, with supervisory responsibility over both the criminal and civil divisions. Because defendant has not yet been served in this action, it appears recusal under 28 U.S.C. 455(b)(3) is not warranted.

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

- 1. Plaintiff's request to proceed in forma pauperis is granted; and

1 2. The Clerk of the Court is directed to serve the undersigned's scheduling order
2 in social security cases.

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

5 4. Within fifteen days from the date of this order, plaintiff shall submit to the
6 United States Marshal a completed summons and copies of the complaint and to file a statement
7 with the court that said documents have been submitted to the United States Marshal.

8 5. The United States Marshal is directed to serve all process without prepayment
9 of costs not later than sixty days from the date of this order. Service of process shall be
10 completed by delivering a copy of the summons and complaint to the United States Attorney for
11 the Eastern District of California, and by sending a copy of the summons and complaint by
12 registered or certified mail to the Attorney General of the United States at Washington, D.C. See
13 Fed. R. Civ. P. 4(i)(1)(A) & (B). The Marshal shall also send a copy of the summons and
14 complaint by registered or certified mail to the Commissioner of Social Security, c/o Office of
15 General Counsel, 6401 Security Blvd., Room 611, Altmeyer Bldg., Baltimore, MD 21235. See
16 Fed. R. Civ. P. 4(i)(2).

17 DATED: August 3, 2011

/s/ Carolyn K. Delaney

United States Magistrate Judge

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