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

ASHIT ZINZUWADIA,

Plaintiff,

No. CIV S-11-3470 JAM EFB PS

vs.

MORTGAGE ELECTRONIC  
INFORMATION SYSTEMS, INC.;  
NDEX WEST, LLC; DEUTSCHE  
BANK NATIONAL TRUST COMPANY;  
ONEWEST BANK FSB; AMERICAN  
MORTGAGE NETWORK, INC.;  
NATIONWIDE POSTING AND  
PUBLICATION, INC.; and  
DOES 1-100, inclusive,

Defendants.

ORDER

\_\_\_\_\_ /  
This case, in which plaintiff is proceeding *in propria persona*, was referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1) and Eastern District of California Local Rule 302(c)(21). Plaintiff requests authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, and has submitted the affidavit required thereunder which demonstrates that plaintiff is unable to prepay fees and costs or give security thereof. Accordingly, the request to proceed *in forma pauperis* will be granted. 28 U.S.C. § 1915(a).

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

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Plaintiff's request to proceed *in forma pauperis*, Dckt. No. 2, is granted.

9 2. The Clerk of the Court is directed to issue forthwith all process pursuant to Federal  
10 Rule of Civil Procedure 4.

11 3. The Clerk of Court shall send plaintiff six USM-285 forms, one summons, a copy of  
12 the complaint, this court's scheduling order, and the forms providing notice of the magistrate  
13 judge's availability to exercise jurisdiction for all purposes and the court's voluntary dispute  
14 resolution program.

15 4. Plaintiff is advised that the U.S. Marshal will require:

16 a. One completed summons;

17 b. One completed USM-285 form for each defendant;

18 c. A copy of the complaint for each defendant, with an extra copy for the U.S.  
19 Marshal; and,

20 d. A copy of this court's scheduling order and related documents for each  
21 defendant.

22 5. Plaintiff shall supply the United States Marshal, within 14 days from the date this  
23 order is filed, all information needed by the Marshal to effect service of process, and *shall,*  
24 *within 14 days thereafter, file a statement with the court that said documents have been*  
25 *submitted to the United States Marshal.*

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1           6. The U.S. Marshal shall serve process, with copies of this court's scheduling order and  
2 related documents, within 90 days of receipt of the required information from plaintiff, without  
3 prepayment of costs. *The United States Marshal shall, within 14 days thereafter, file a statement*  
4 *with the court that said documents have been served.* If the U.S. Marshal is unable, for any  
5 reason, to effect service of process on any defendant, the Marshal shall promptly report that fact,  
6 and the reasons for it, to the undersigned.

7           7. The Clerk of Court shall serve a copy of this order on the United States Marshal, 501  
8 "I" Street, Sacramento, CA 95814 (tel. 916-930-2030).

9           8. Failure to comply with this order may result in a recommendation that this action be  
10 dismissed.

11 DATED: February 24, 2012.

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13 EDMUND F. BRENNAN  
14 UNITED STATES MAGISTRATE JUDGE  
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