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

ANTHONY W. ROBINSON

Plaintiff,

No. 2:12-cv-2783 MCE GGH PS

vs.

SAN JOAQUIN COUNTY, et al.,

Defendants.

ORDER

Plaintiff, who proceeds pro se in this action, has filed a complaint (dkt. 1) together with a motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 (dkt. 2). This matter was referred to the undersigned by Local Rule 302(21), pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff has submitted an affidavit making the showing required by 28 U.S.C. § 1915(a)(1). Accordingly, the request to proceed in forma pauperis will be granted.

That determination, however, does not complete the required inquiry. 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. On the present record, plaintiff has stated a sufficiently colorable claim of employment discrimination under 42 U.S.C. § 2000e et seq., and for claims based on state law, for relief against the

1 defendants named.

2 Good cause appearing, IT IS ORDERED that:

3 1. Plaintiff's motion to proceed in forma pauperis (dkt. 2) is GRANTED.

4 2. Service is appropriate for the defendants named in this action.

5 3. The Clerk of Court is directed to issue forthwith, and the U.S. Marshal is
6 directed to serve within ninety days of the date of this order, all process pursuant to Fed. R. Civ.
7 Pro. 4, including a copy of this court's status order, without prepayment of costs.

8 4. The Clerk of Court shall send plaintiff one USM -285 form for each
9 defendant, one summons, a copy of the complaint, an appropriate form for consent to trial by a
10 magistrate judge, and this court's status order.

11 5. Plaintiff is directed to supply the U.S. Marshal, within 14 days from the
12 date this order is filed, all information needed by the Marshal to effect service of process, and
13 shall file a statement with the court that said documents have been submitted to the United States
14 Marshal. The court anticipates that, to effect service, the U.S. Marshal will require at least:

15 a. One completed summons for each defendant;

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

17 c. One copy of the endorsed filed complaint for each defendant, with
18 an extra copy for the U.S. Marshal;

19 d. One copy of this court's status order for each defendant; and

20 e. One copy of the instant order for each defendant.

21 6. In the event that the U.S. Marshal is unable, for any reason whatsoever, to
22 effectuate service on any defendant within 90 days from the date of this order, the Marshal is
23 directed to report that fact, and the reasons for it, to the undersigned.

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7. The Clerk of Court is directed to serve a copy of this order on the U.S. Marshal, 501 "T" Street, Sacramento, CA 95814, Tel. No. (916) 930-2030.

DATED: January 24, 2013

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE