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

DONALD GIER, SR.,

Plaintiff,

No. 2:13-cv-0012 KJN

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

ORDER

_____/

Plaintiff has requested leave to proceed without the prepayment of fees and costs, also referred to as in forma pauperis, pursuant to 28 U.S.C. § 1915.¹ Plaintiff has submitted the required affidavit, which demonstrates that plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis is granted. See 28 U.S.C. § 1915(a).

For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (Dkt. No. 3) is granted.
2. The Clerk of the Court is directed to serve the undersigned's scheduling order in Social Security cases.

¹ This case was referred to the undersigned pursuant to E.D. Cal. L.R. 302(c)(15) and 28 U.S.C. § 636(c).

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

3 4. Within fourteen (14) days from the date of this order, plaintiff shall submit
4 to the United States Marshal an original and five copies of the completed summons, five copies
5 of the complaint, five copies of the scheduling order and a completed USM-285 form, *and shall*
6 *file a statement with the court that such documents have been submitted to the United States*
7 *Marshal.*

8 5. The United States Marshal is directed to serve all process without
9 prepayment of costs not later than sixty (60) days from the date of this order. Service of process
10 shall be completed by delivering a copy of the summons, complaint, and scheduling order to the
11 United States Attorney for the Eastern District of California, and by sending two copies of the
12 summons, complaint, and scheduling order by registered or certified mail to the Attorney General
13 of the United States at Washington, D.C. See Fed. R. Civ. P. 4(i)(1)(A) & (B). The Marshal
14 shall also send a copy of the summons, complaint, and scheduling order by registered or certified
15 mail to the Commissioner of Social Security, c/o Office of General Counsel, Region IX, 160
16 Spear Street, Suite 800, San Francisco, CA, 94105-1545. See Fed. R. Civ. P. 4(i)(2). *The United*
17 *States Marshal shall thereafter file a statement with the court that such documents have been*
18 *served.*

19 6. Plaintiff is advised of Local Rule 110, which provides: “Failure of counsel
20 or of a party to comply with [the court’s Local] Rules or with any order of the Court may be
21 grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or
22 within the inherent power of the Court.”

23 IT IS SO ORDERED.

24 DATED: January 3, 2013

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26 _____
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE