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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DWAYNE TODD PEKAREK,
Plaintiff,
v.
CAROLYN W. COLVIN, Commissioner
of Social Security,
Defendant.

No. 2:13-cv-1451 DAD

ORDER

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:

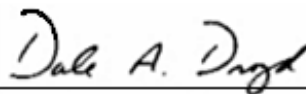
1. Plaintiff’s application to proceed in forma pauperis is granted.
2. The Clerk of the Court is directed to issue process and to serve upon plaintiff the undersigned’s Scheduling Order and Order re Consent or Request for Reassignment for social security cases.
3. The Clerk of the Court is further directed 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 for
5 Reassignment issued in this case. Information regarding the number of copies currently required
6 by the United States Marshal may be obtained from the United States Marshals Service, 501 I
7 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 the General Counsel, Region IX, 160 Spear Street, Suite 800, San Francisco, CA 94105-1545.
21 See FED. R. CIV. P. 4(i)(2).

22 Dated: September 28, 2013

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24 _____
DALE A. DROZD
25 UNITED STATES MAGISTRATE JUDGE

26 DAD:6
ddad1/orders.soc sec/pekarek1451.ifp.docx