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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADRIAN CIDA,  
Plaintiff,  
v.  
BONNIE LEE, M.D. et al.,  
Defendants.

No. 2:13-cv-2289 MCE KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se and in forma pauperis, with an action filed pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff's second amended complaint. (ECF No. 17.)

The amended complaint states a potentially cognizable claim for relief against defendants Lee and Williams pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of this action.

Because the amended complaint does not name D. Swingle or L.D. Zamora as defendants, see ECF No. 17, Swingle and Zamora will be dismissed as defendants in this action.

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

1. Service is appropriate for the following defendants: B. Lee, G. Williams.
2. D. Swingle and L.D. Zamora are dismissed as defendants in this action.

1           3. The Clerk of the Court shall send plaintiff two USM-285 forms, one summons, an  
2 instruction sheet and a copy of the amended complaint filed July 17, 2015.

3           4. Within thirty days from the date of this order, plaintiff shall complete the attached  
4 Notice of Submission of Documents and submit the following documents to the court:

- 5                   a. The completed Notice of Submission of Documents;  
6                   b. One completed summons;  
7                   c. One completed USM-285 form for each defendant listed in number 1 above;

8 and

- 9                   d. Three copies of the endorsed amended complaint filed July 17, 2015.

10           5. Plaintiff need not attempt service on defendants and need not request waiver of service.  
11 Upon receipt of the above-described documents, the court will direct the United States Marshal to  
12 serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4 without payment  
13 of costs.

14 Dated: October 13, 2016

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17 KENDALL J. NEWMAN  
18 UNITED STATES MAGISTRATE JUDGE

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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADRIAN CIDA

Plaintiff,

v.

Defendant.

No. 2:13-cv-2289 MCE KJN P

NOTICE OF SUBMISSION OF  
DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's order  
filed \_\_\_\_\_ :

- \_\_\_\_\_ completed summons form
- \_\_\_\_\_ completed USM-285 forms
- \_\_\_\_\_ copies of the \_\_\_\_\_  
Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff