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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOLENE JOHNSON,

Plaintiff,

v.

SAN JOAQUIN COUNTY SHERIFF'S
DEPARTMENT and STEVE MOORE,

Defendants.

No. 2:14-cv-00663 MCE AC

ORDER AND ORDER DIRECTING
SERVICE BY THE UNITED STATES
MARSHAL WITHOUT PREPAYMENT OF
COSTS

On March 7, 2014, plaintiff Jolene Johnson, proceeding through counsel, initiated this action, alleging a violation of her Eighth Amendment rights. ECF No. 1. On March 12, 2014, plaintiff submitted a request to proceed in forma pauperis. ECF No. 2. On October 9, 2014, the district judge referred the motion to proceed in forma pauperis to the undersigned for review and ruling. ECF No. 6. 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.

The complaint states a cognizable claim for relief. If the allegations of the complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of this action.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request for leave to proceed in forma pauperis is granted.
2. Service is appropriate for the following defendants: San Joaquin County Sheriff's Department and Steve Moore.

1 3. The United States Marshal is directed to serve within ninety days of the date of this
2 order, all process pursuant to Federal Rule of Civil Procedure 4, including a copy of this court's
3 status order, without prepayment of costs.

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


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

- 11 a. One completed summons for each defendant;
- 12 b. One completed USM-285 form for each defendant;
- 13 c. One copy of the endorsed filed complaint for each defendant, with an extra
14 copy for the U.S. Marshal;
- 15 d. One copy of this court's status order for each defendant; and
- 16 e. One copy of the instant order for each defendant.

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

20 7. The Clerk of the Court is directed to serve a copy of this order on the United States
21 Marshal, 501 "I" Street, Sacramento, Ca., 95814, Tel. No. (916) 930-2030.

22 DATED: October 15, 2014

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24 ALLISON CLAIRE
25 UNITED STATES MAGISTRATE JUDGE
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