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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GRACIELA M. CONTRERAS,  
Plaintiff,  
v.  
GEN. FRANK J. GRASS, et al.,  
Defendants.

No. 2:14-cv-1282-MCE-EFB PS

ORDER

This case, in which plaintiff is proceeding *in propria persona and in forma pauperis*, proceeds on plaintiff’s first amended complaint. ECF No. 9. Pursuant to 28 U.S.C. § 1915(e)(2), the court is directed to dismiss a case filed pursuant to the *in forma pauperis* statute if, at any time, it determines that the allegation of poverty is untrue, or if 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. The court cannot make this determination on the present record.

Therefore, the court reserves decision on these issues until the record is sufficiently developed.

Accordingly, it is hereby ORDERED that:

1. The Clerk of the Court is directed to issue forthwith all process pursuant to Federal Rule of Civil Procedure 4.
2. The Clerk of Court shall send plaintiff one USM-285 form, one summons, a copy of the complaint, this court’s scheduling order, and the forms providing notice of the magistrate judge’s availability to exercise jurisdiction for all purposes.

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3. Plaintiff is advised that the U.S. Marshal will require:

- a. One completed summons;
- b. One completed USM-285 form for each defendant;
- c. A copy of the complaint for each defendant, with an extra copy for the U.S. Marshal; and,
- d. A copy of this court’s scheduling order and related documents for each defendant.

4. Plaintiff shall supply the United States Marshal, within 14 days from the date this order is filed, all information needed by the Marshal to effect service of process, and *shall, within 14 days thereafter, file a statement with the court that said documents have been submitted to the United States Marshal.*

5. The U.S. Marshal shall serve process, with copies of this court’s scheduling order and related documents, within 90 days of receipt of the required information from plaintiff, without prepayment of costs. *The United States Marshal shall, within 14 days thereafter, file a statement with the court that said documents have been served.* If the U.S. Marshal is unable, for any reason, to effect service of process on any defendant, the Marshal shall promptly report that fact, and the reasons for it, to the undersigned.

6. The Clerk of Court shall serve a copy of this order on the United States Marshal, 501 “I” Street, Sacramento, CA 95814 (tel. 916-930-2030).

7. Failure to comply with this order may result in a recommendation that this action be dismissed.

DATED: January 26, 2017.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE