

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER WHITE, ET AL.,  
Plaintiffs,  
v.  
CITY OF VALLEJO, ET AL.,  
Defendants.

No. 2:14-cv-1603-MCE-AC

ORDER

Plaintiffs, proceeding in this action pro se, have requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to the undersigned pursuant to Local Rule 302(a), pursuant to 28 U.S.C. § 636(b)(1). Plaintiffs have submitted affidavits making the showing required by 28 U.S.C. § 1915(a)(1). Accordingly, their requests 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.

Good cause appearing, IT IS ORDERED that:

1. Plaintiffs’ requests for leave to proceed in forma pauperis (ECF Nos. 4–7) are granted.
2. Service is appropriate for the following defendant: City of Vallejo.
3. The Clerk of the Court is directed to issue forthwith, and the U.S. Marshal is directed to serve within ninety days of the date of this order, all process pursuant to Federal Rule of Civil

1 Procedure 4, including a copy of this court's status order, without prepayment of costs.

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

5 5. Plaintiffs are directed to supply the U.S. Marshal, within 15 days from the date this  
6 order is filed, all information needed by the Marshal to effect service of process, and shall file a  
7 statement with the court that said documents have been submitted to the United States Marshal.

8 The court anticipates that, to effect service, the U.S. Marshal will require at least:

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

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

18 7. The Clerk of the Court is directed to serve a copy of this order on the U.S. Marshal,  
19 501 "I" Street, Sacramento, Ca., 95814, Tel. No. (916) 930-2030.

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

22 DATED: September 19, 2014

23   
24 ALLISON CLAIRE  
25 UNITED STATES MAGISTRATE JUDGE  
26  
27  
28