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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN WILLIAM FERRIS, V,

No. 2:14-cv-02569 AC

Plaintiff,

v.

ORDER

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Plaintiff initiated this action pro se on November 3, 2014. ECF No. 1. On December 5, 2014, following plaintiff's failure to timely file either a proper in forma pauperis affidavit or pay the appropriate filing fee, the court issued findings and recommendations recommending this action be dismissed without prejudice. ECF No. 4.

On December 23, 2014, plaintiff, through counsel, ECF No. 5, filed a proper in forma pauperis affidavit and a first amended complaint. ECF Nos. 6-7.

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. 28 U.S.C. § 1915(a).

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

2 1. Plaintiff's November 3, 2014 request to proceed in forma pauperis, ECF No. 2, is
3 disregarded as moot;

4 2. The Findings and Recommendations entered December 5, 2014, ECF No. 4, are
5 vacated;

6 3. Plaintiff's December 23, 2014 request to proceed in forma pauperis, ECF No. 6, is
7 granted.


8 4. The Clerk of the Court is directed to serve the undersigned's scheduling order in social
9 security cases.

10 5. The Clerk of the Court is further directed to serve a copy of this order on the United
11 States Marshal.

12 6. Within fourteen days from the date of this order, plaintiff shall submit to the United
13 States Marshal a completed summons and copies of the first amended complaint and file a
14 statement with the court that said documents have been submitted to the United States Marshal.

15 7. The United States Marshal is directed to serve all process without prepayment of costs
16 not later than sixty days from the date of this order. Service of process shall be completed by
17 delivering a copy of the summons and first amended complaint to the United States Attorney for
18 the Eastern District of California, and by sending a copy of the summons and first amended
19 complaint by registered or certified mail to the Attorney General of the United States at
20 Washington, D.C. See Fed. R. Civ. P. 4(i)(1)(A) & (B). The Marshal shall also send a copy of
21 the summons and first amended complaint by registered or certified mail to the Commissioner of
22 Social Security, c/o Office of General Counsel, Region IX, 160 Spear Street, Suite 800, San
23 Francisco, CA 94105-1545. See Fed. R. Civ. P. 4(i)(2).

24 DATED: December 23, 2014

25 
26 ALLISON CLAIRE
27 UNITED STATES MAGISTRATE JUDGE
28