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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

VALENTINA MAXWELL,  
Plaintiff,  
v.  
EIRC HOLDER, JR., et al.,  
Defendant.

No. 2:14-cv-2772 TLN CKD PS

ORDER

Plaintiff is proceeding in this action pro se. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed in forma pauperis. This proceeding was referred to this court by Local Rule 302(c)(21).

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).

In this action, plaintiff alleges that defendants have failed to make a determination on her application for naturalization within 120 days of her examination by an officer of the United States Citizenship and Immigration Services. Plaintiff requests a hearing before the District Court under 8 U.S.C. § 1447. Based on the allegations of the complaint, it appears this court has subject matter jurisdiction over plaintiff's claim.

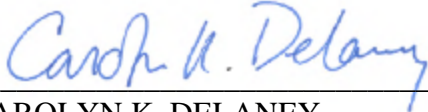
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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted;
2. Within 120 days from the date of this order, plaintiff shall serve defendants pursuant to Federal Rule of Civil Procedure 4(i) and shall file the affidavit of service required under Federal Rule of Civil Procedure 4(l). Failure to timely serve defendants may result in a recommendation that the action be dismissed.

Dated: December 3, 2014

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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