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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 and in forma pauperis. Plaintiff has requested that the United States Marshal serve process in this matter. In this case, plaintiff has sued a United States Officer in his official capacity. As such, plaintiff must complete service of process in accordance with Federal Rule of Civil Procedure 4(i). That rule provides as follows:

4(i) Serving the United States and Its Agencies, Corporations, Officers, or Employees.

(1) United States. To serve the United States, a party must:

(A)

(i) deliver a copy of the summons and of the complaint to the United States attorney for the district where the action is brought--or to an assistant United States attorney or clerical employee whom the United States attorney designates in a writing filed with the court clerk--or

1 (ii) send a copy of each by registered or
2 certified mail to the civil-process clerk at the United States
attorney's office;

3 (B) send a copy of each by registered or certified
4 mail to the Attorney General of the United States at Washington,
D.C.; and

5 (C) if the action challenges an order of a nonparty
6 agency or officer of the United States, send a copy of each by
registered or certified mail to the agency or officer.

7 (2) Agency; Corporation; Officer or Employee Sued in an
8 Official Capacity. To serve a United States agency or corporation,
or a United States officer or employee sued only in an official
9 capacity, a party must serve the United States and also send a copy
of the summons and of the complaint by registered or certified mail
10 to the agency, corporation, officer, or employee.

11 (3) Officer or Employee Sued Individually. To serve a
United States officer or employee sued in an individual capacity for
12 an act or omission occurring in connection with duties performed
on the United States' behalf (whether or not the officer or employee
13 is also sued in an official capacity), a party must serve the United
States and also serve the officer or employee under Rule 4(e), (f), or
14 (g).

15 Plaintiff may accomplish service of process by sending via registered or certified mail a
16 copy of the summons and complaint to the entities as outlined above. In the alternative, any
17 service by the United States Marshal will require submission of a properly filled out USM-285
18 form for each named defendant. The requisite forms may be obtained at the office of the United
19 States Marshal.

20 Accordingly, IT IS HEREBY ORDERED that:

21 1. Plaintiff's request for service of process by the United States Marshal is deferred
22 pending receipt by the court of a properly filled out USM-285 form for each named defendant.

23 To proceed with service by the Marshal, plaintiff shall complete the attached Notice of
24 Submission of Documents and submit the following documents to the court:

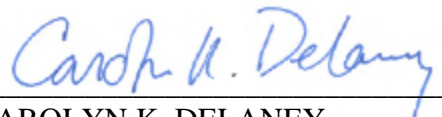
- 25 a. The completed Notice of Submission of Documents;
- 26 b. One completed summons;
- 27 c. One completed USM-285 form for each named defendant; and
- 28 d. Seven copies of the endorsed complaint filed November 25, 2014.

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Upon receipt of the above-described documents, the court will direct the United States Marshal to serve the defendants pursuant to Federal Rule of Civil Procedure 4 without payment of costs.

2. Plaintiff is cautioned that service of summons must be completed within 120 days of the filing of the original complaint in this action.

Dated: January 8, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VALENTINA MAXWELL,
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v.
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Defendants.

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

ORDER

Plaintiff submits the following documents in compliance with the court's order filed

- _____:
- _____ completed summons form
 - _____ completed USM-285 forms
 - _____ copies of the _____
Complaint

DATED:

Plaintiff