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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FREDERICK MARCELES COOLEY,
Plaintiffs,
v.
CITY OF VALLEJO, ET AL.,
Defendants.

No. 2:14-cv-02824 TLN AC PS

ORDER

Plaintiff, proceeding in this action in pro per, has 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). Plaintiff has submitted an affidavit making the showing required by 28 U.S.C. § 1915(a)(1). Accordingly, the request 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. Plaintiff’s request for leave to proceed in forma pauperis, ECF No. 2, is granted.
2. Service is appropriate for the following defendants: The City of Vallejo, Dustin Joseph and David McLaughlin.

///

1 3. The Clerk of the Court is directed to issue forthwith, and the U.S. Marshal is directed
2 to serve within ninety days of the date of this order, all process pursuant to Federal Rule of Civil
3 Procedure 4, including a copy of this court's status order, without prepayment of costs.

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

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

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


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

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

20 7. The Clerk of the Court is directed to serve a copy of this order on the U.S. Marshal,
21 501 "I" Street, Sacramento, Ca., 95814, Tel. No. (916) 930-2030.

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

24 DATED: December 16, 2014

25 
26 ALLISON CLAIRE
27 UNITED STATES MAGISTRATE JUDGE
28