

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY FRADET,

No. 2:15-cv-0962 CKD PS

Plaintiff,

V.

## ORDER

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

18 By order filed May 8, 2015, plaintiff, proceeding pro se, was directed to submit to the  
19 U.S. Marshal documents necessary for proper service of summons and to file a statement with the  
20 court that said documents had been submitted. Plaintiff did not timely file the requisite statement.  
21 The executed return of summons filed May 21, 2015 does not reflect proper service of summons  
22 on defendant.

23 Plaintiff was ordered to show cause why this action should not be dismissed for failure to  
24 comply with the court's orders and to timely serve summons in this action. In response to the  
25 order to show cause, plaintiff asserts that he mailed a subpoena to the Marshal's office and mailed  
26 the rest of the requisite paperwork to the Court. There is no evidence in the court file that  
27 plaintiff has submitted the requisite paperwork for service by the Marshal. Plaintiff will be given

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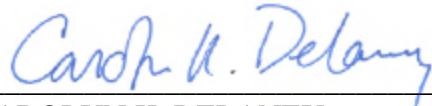
1 an extension of time to comply with the court's order regarding submission of papers to the  
2 Marshal.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The order to show cause (ECF No. 7) is discharged.  
5 2. No later than August 31, 2015, plaintiff shall submit to the United States Marshal a  
6 completed summons and copies of the complaint and to file a statement with the court that said  
7 documents have been submitted to the United States Marshal.  
8 3. The United States Marshal is directed to serve all process without prepayment of costs  
9 not later than sixty days from the date of this order. Service of process shall be completed by  
10 delivering a copy of the summons and complaint to the United States Attorney for the Eastern  
11 District of California, and by sending a copy of the summons and complaint by registered or  
12 certified mail to the Attorney General of the United States at Washington, D.C. See Fed. R. Civ.  
13 P. 4(i)(1)(A) & (B). The Marshal shall also send a copy of the summons and complaint by  
14 registered or certified mail to the Commissioner of Social Security, c/o Office of the General  
15 Counsel, Region IX, 160 Spear Street, Suite 800, San Francisco, CA 94105-1545. See Fed. R.  
16 Civ. P. 4(i)(2).

17 4. The Clerk of the Court is directed to serve a copy of this order on the United States  
18 Marshal.

19 Dated: August 18, 2015



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20 CAROLYN K. DELANEY  
21 UNITED STATES MAGISTRATE JUDGE  
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