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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JAMES D. SHACK,

No. 2:16-cv-0122-CMK PS

Plaintiff,

vs.

ORDER

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____/

Plaintiff, who is proceeding *in propria persona*, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g).

Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis (Doc. 2). Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security therefor. The request to proceed in forma pauperis will, therefore, be granted. See 28 U.S.C. § 1915(a). Plaintiff will be required by this order to submit documents to the United States Marshal and file notice with the court. Plaintiff is warned that failure to comply with this order may result in the dismissal of this action. See Local Rule 110.

Plaintiff has also filed a motion for screening order (Doc. 6) and a petition for writ of mandamus (Doc. 5). To the extent plaintiff is requesting the court authorize service of this case, that request is granted as provided herein. To the extent plaintiff is requesting this court

1 issue a writ of mandamus, the court will request the defendant to respond to that motion prior to
2 addressing the motion.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff's request to proceed in forma pauperis (Doc. 2) is granted;

5 2. The Clerk of the Court is directed to serve on plaintiff the undersigned's
6 scheduling order in social security cases;

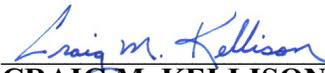
7 3. The Clerk of the Court is further directed to serve a copy of this order on
8 the United States Marshal at 501 "I" Street, Sacramento, CA, 95814.;

9 4. Within 15 days from the date of this order, plaintiff shall submit to the
10 United States Marshal a completed summons and copies of the complaint and file a statement
11 with the court that said documents have been submitted to the United States Marshal;

12 5. The United States Marshal is directed to serve all process without
13 prepayment of costs not later than 60 days from the date of this order, such service of process to
14 be completed by delivering a copy of the summons and complaint to the United States Attorney
15 for the Eastern District of California, and by sending a copy of the summons and complaint by
16 registered or certified mail to the Attorney General of the United States in Washington, D.C.,
17 pursuant to Federal Rule of Civil Procedure 4(i)(1)(A) & (B); and

18 6. The United States Marshal shall also send a copy of the summons and
19 complaint by registered or certified mail to the Commissioner of Social Security, c/o Office of
20 General Counsel, 6401 Security Blvd., Room 611, Altmeyer Bldg., Baltimore, MD 21235,
21 pursuant to Federal Rule of Civil Procedure 4(i)(2).

22
23 DATED: May 15, 2017

24 
25 **CRAIG M. KELLISON**
26 UNITED STATES MAGISTRATE JUDGE