

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICKIE WALKER,  
Plaintiff,  
v.  
WALKER V. SPECIALIZED LOAN  
SERVICING, LLC,  
Defendant.

No. 2:16-cv-1794 TLN GGH

ORDER

Plaintiff filed his pro se Complaint on July 29, 2016, ECF No.1, and made a motion to proceed in forma pauperis ECF No. 2, on July 29, 2016. The motion was granted on October 6, 2016, ECF No. 3, and summons was issued to plaintiff on the same date. ECF No. 4. The court has reviewed the Application and finds the plaintiff has satisfied the requirement to proceed in pro se and that his complaint states a colorable claim against defendant. The plaintiff having received IFP status, the complaint may now be served. Good cause appearing, IT IS ORDERED THAT:

1. Plaintiff’s request for leave to proceed in forma pauperis is GRANTED;
2. Service is now appropriate;
3. The Clerk of the Court shall send plaintiff one USM-285 form for each defendant, one summons, a copy of the complaint, an appropriate form for consent to trial by a magistrate judge, and this court’s status order;

1           4.       Plaintiff is directed to supply the U.S. Marshal, within 14 days from the date this  
2 order is filed, all information needed by the Marshal to effect service of process, and *shall file a*  
3 *statement with the court that said documents have been submitted to the United States Marshal.*

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

- 5           a. One completed summons for each defendant;
- 6           b. One completed USM-285 form for each defendant;
- 7           c. One copy of the endorsed filed complaint for each defendant, with an extra  
8 copy for the U.S. Marshal;
- 9           d. One copy of this court's status order for each defendant; and
- 10          e. One copy of the instant order for each defendant.

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

14          6.       If a defendant waives service, the defendant is required to return the signed waiver  
15 to the United States Marshal. If the Marshal has already attempted personal service, the filing of  
16 an answer or a responsive motion will not relieve a defendant from the potential obligation to pay  
17 the costs of service pursuant to Federal Rule of Civil Procedure 4(d)(2).

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

20          8.       Plaintiff's failure to comply with this order may result in a recommendation that  
21 this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b) and Local Rules 110  
22 and 183(a).

23               **IT IS SO ORDERED.**

24 Dated: January 23, 2017

25                               /s/ Gregory G. Hollows  
26                               UNITED STATES MAGISTRATE JUDGE