

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

DINO B. DURSO,

 Plaintiff,

 v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

 Defendant.

No. 2:16-cv-2290 DB

ORDER

Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis. Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis will be granted.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff’s application to proceed in forma pauperis is granted.
2. The Clerk of the Court is directed to issue process and to serve upon plaintiff the undersigned’s Scheduling Order and Order re Consent or Request for Reassignment for social security cases.
3. The Clerk of the Court is further directed to serve a copy of this order upon the United States Marshal.


1 4. Within fourteen (14) days from the date of this order, plaintiff shall submit to the
2 United States Marshal a completed summons, a completed USM-285 form, sufficient copies of
3 the summons and complaint for service of process in accordance with Federal Rule of Civil
4 Procedure 4(i), and sufficient copies of the Scheduling Order and Order re Consent or Request for
5 Reassignment issued in this case. Information regarding the number of copies currently required
6 by the United States Marshal may be obtained from the United States Marshals Service, 501 I
7 Street, Suite 5600, Sacramento, CA 95814 (tel. 916-930-2030).

8 5. Within five (5) days after submitting the necessary documents to the United States
9 Marshal for service or process, plaintiff shall file in this court a declaration stating the date on
10 which the documents were submitted to the United States Marshal. Failure to file a timely
11 declaration may result in an order imposing appropriate sanctions.

12 6. The United States Marshal is directed to serve process and copies of the undersigned's
13 Scheduling Order and Order re Consent or Request for Reassignment without prepayment of
14 costs not later than sixty (60) days from the date of this order. Service of process shall be
15 completed by delivering all necessary documents to the United States Attorney for the Eastern
16 District of California and by sending copies of the summons, complaint and court orders by
17 registered or certified mail to the Attorney General of the United States at Washington, D.C. See
18 FED. R. CIV. P. 4(i)(1)(A) & (B). Copies of the summons, complaint and court orders shall also
19 be served by registered or certified mail on the Commissioner of Social Security, c/o Office of the
20 General Counsel, Region IX, 160 Spear Street, Suite 800, San Francisco, CA 94105-1545. See
21 FED. R. CIV. P. 4(i)(2).

22 Dated: October 7, 2016

23
24
25 DLB:6
26 DLB1\orders.soc sec\durso2290.ifp.ord

27
28

DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE