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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,  
  
Plaintiff,  
  
v.  
  
M. RICHARD, CHP Captain Commander,  
et al.  
  
Defendants.

No. 2:17-cv-00149 JAM GGH

ORDER

Plaintiff, proceeding in this action pro se, has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by Local Rule 302(21), 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.

Good cause appearing, IT IS ORDERED THAT.

1. Plaintiff’s request to proceed in forma pauperis is granted;
2. The Clerk of the Court is directed to issue forthwith, and the U.S. Marshal is directed to serve within ninety days of the date of this order, all process pursuant to Fed. R. Civ. P. 4, including a copy of this court’s status order, without prepayment of costs.

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

4           4.       Plaintiff is directed to supply the U.S. Marshal, within 14 days from the date this  
5 order is filed, all information needed by the Marshal to effect service of process, and shall file a  
6 statement with the court that said documents have been submitted to the United States Marshal.  
7 The court anticipates that, to effect service, the U.S. Marshal will require at least:

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

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

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

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

23           8.       Plaintiff's failure to comply with this order may result in a recommendation that  
24 this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b) and Local Rules 110  
25 and 183(a).vice on defendants is appropriate;

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