

1 UNITED STATES DISTRICT COURT
2 Northern District of California

3
4 JAMES W. JAMES,

5 Plaintiff(s),

6 v.

7 THE UNITED STATES OF AMERICA, et
8 al.,

9 Defendant(s).
_____ /

No. C 09-05149 MEJ

**ORDER REQUIRING U.S. MARSHAL
TO COMPLETE SERVICE OF
PROCESS FORTHWITH**

ORDER CONTINUING CMC

10 On October 30, 2009, Plaintiff James W. James filed the above-captioned complaint, as well
11 as an in forma pauperis application. On December 9, 2009, the Court granted Plaintiff's application
12 and ordered the United States Marshal for the Northern District of California to serve, without
13 prepayment of fees, a copy of the complaint and case file upon the Defendants. (Dkt. #6.) On
14 December 18, 2009, the Clerk of Court issued summons as to the named Defendants. (Dkt. #7.)
15 However, since that time, there is no indication that Defendants have been served, the Clerk of Court
16 has re-issued the summons, and the Court has had to continue the initial case management
17 conference twice to allow for service of process. Accordingly, the Court hereby ORDERS the
18 United States Marshal for the Northern District of California to serve, without prepayment of fees, a
19 copy of the complaint and case file upon the Defendants by May 20, 2010.

20 Further, to allow for service upon Defendants and to allow them time to respond, the Court
21 hereby CONTINUES the case management conference, currently scheduled on May 6, 2010, to July
22 8, 2010 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco,
23 California.

24 **IT IS SO ORDERED.**

25 Dated: April 30, 2010

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28 Maria-Elena James
Chief United States Magistrate Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JAMES W. JAMES et al,
Plaintiff,

Case Number: CV09-05149 MEJ

CERTIFICATE OF SERVICE

v.

THE UNITED STATES OF AMERICA et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 30, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

James W. James
15355 Bittern Court
San Leandro, CA 94579

Dated: April 30, 2010

Richard W. Wiekling, Clerk
By: Brenda Tolbert, Deputy Clerk