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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FREDERICK SMITH,
Plaintiff,

v.

HAROLD P. JOHNSON,
Defendant.

Case Number 3:11-cv-04823 NC

ORDER VACATING CMC

A case management conference currently is scheduled for January 11, 2012. As Smith is proceeding in forma pauperis, Dkt. No. 4, service of the complaint must be made by the United States marshal or another person specially appointed by the court. *See* FED. R. CIV. P. 4(c)(3). Because Smith served the complaint on Johnson via certified mail, Dkt. No. 7, service has not been properly executed in this case. Accordingly, the United States marshal is ordered to serve a copy of the complaint and the summons on Johnson by January 25, 2012. The case management conference is continued to March 28, 2012.

IT IS SO ORDERED.

DATED: January 9, 2012



NATHANAEL M. COUSINS
United States Magistrate Judge