

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OSCAR MACHADO and SANDRA GARCIA,

Plaintiffs,

V.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

Defendants.

Case No.: 12-cv-6501 JSC
AMENDED

**ORDER DISCHARGING SHOW
CAUSE ORDER AND DIRECTING
ISSUANCE OF SUMMONS**

19 This civil action was filed by pro se Plaintiffs Oscar Machado and Sandra Garcia on
20 December 21, 2012. On April 23, 2013, the Court issued an Order to Show Cause (Dkt. No.
21 14) because Plaintiffs failed to appear for the Initial Case Management Conference and had
22 yet to serve Defendants. Plaintiffs, through newly retained counsel, have filed a response to
23 the Order to Show cause and request reissuance of the summons. In their response, Plaintiffs
24 indicate that that they did not serve the summons and complaint because they were waiting
25 for the Clerk's Office to send them an in forma pauperis application; however, Plaintiffs had
26 already paid the filing fee for this action.

27 The Order to Show Cause issued April 23, 2013 is VACATED and the hearing will be
28 taken off calendar. Plaintiffs' request for an extension of time to serve Defendants is
GRANTED. Pursuant to Federal Rule of Civil Procedure 4(m) and good cause appearing,

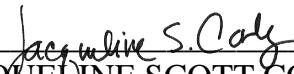
1 Plaintiffs shall have 30 days to serve the amended summons and complaint from issuance of
2 the summons.

3 The Clerk shall issue an amended summons specifying that Plaintiffs are represented
4 by counsel, William Schmidt, Esq.

5 A further Case Management Conference is scheduled for July 11, 2013 at 1:30 p.m. in
6 Courtroom F, 450 Golden Gate Avenue, San Francisco, California. The Joint Case
7 Management Conference Statement is due July 5, 2013.

8 **IT IS SO ORDERED.**

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10 Dated: May 1, 2013

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12 JACQUELINE SCOTT CORLEY
13 UNITED STATES MAGISTRATE JUDGE
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