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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODNEY JAMES QUINE,
Plaintiff,
v.
EDMUND G. BROWN, et al.,
Defendants.

Case No. 14-cv-02726-JST

**ORDER REQUIRING MARSHAL TO
SERVE PROCESS**

Re: ECF No. 16

In this civil rights action under 42 U.S.C. § 1983, the Court previously granted Plaintiff Quine’s motion to proceed in forma pauperis under 28 U.S.C. § 1915. ECF No. 9.

On August 29, 2014, the Court dismissed the complaint under 28 U.S.C. § 1915A on the ground that Quine’s claims for violations of the Eighth Amendment were insufficiently pleaded. ECF No. 10. Specifically, the Court found that Quine’s complaint did not sufficiently link any defendant to her claim for deliberate indifference to medical needs. Id. at 3-4. The Court also found that Quine failed to state a claim for deliberate indifference to safety because she did not allege what the objectively serious risk to her was, name any individual defendant in relation to the claim, or allege how any defendant was deliberately indifferent to the risk. Id. at 4-5. The Court granted Quine leave to file an amended complaint curing these deficiencies, and it referred the action to the Federal Pro Bono Project for the purpose of appointing counsel for her. Id. at 5. Counsel was appointed on September 10, 2014. ECF No. 12. Because of the appointment of counsel, the Court denied Quine’s “motion to add” to her complaint without prejudice. ECF No. 12.

Quine filed an amended complaint on December 10, 2014. ECF No. 16. Unlike the prior iteration, this complaint contains sufficient factual allegations to state a claim under the Eighth and Fourteenth Amendments. Accordingly, the Clerk shall issue summons and the Marshal shall serve

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a copy of the amended complaint, any amendments, attachments, and a copy of this order on each defendant. The fees that Quine will be required to pay are addressed in the Court's order of August 29, 2014. See ECF No. 9.

IT IS SO ORDERED.

Dated: December 19, 2014



JON S. TIGAR
United States District Judge