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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS BABBITT,
Plaintiff,
v.
CITY OF SAN LEANDRO, et al.,
Defendants.

Case No. 15-cv-03247-EDL

**ORDER REQUIRING ISSUANCE OF
SUMMONS AND SERVICE**

On June 13, 2015, Plaintiff Douglas Babbitt filed a complaint against the City of San Leandro and Officers Ying and Olivera alleging federal constitutional violations and related state law claims relating to an alleged incident of excessive force, unlawful arrest and unlawful search and seizure. Dkt. No. 1. The Court granted Plaintiff's application to proceed in forma pauperis on June 16, 2015. Dkt. No. 8. Plaintiff has consented to the jurisdiction of this magistrate court. Dkt. No. 10. Having reviewed the complaint pursuant to 28 U.S.C. § 1915, the Court finds that the action does not appear to be frivolous or subject to sua sponte dismissal. It is hereby Ordered that the Clerk shall issue summons, and the U.S. Marshal for the Northern District of California shall serve, without the prepayment of fees, a copy of the complaint, any amendments, scheduling orders, attachments, plaintiff's affidavit and this order upon the defendants.

IT IS SO ORDERED.

Dated: July 23, 2015


ELIZABETH D. LAPORTE
United States Magistrate Judge