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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

STAN R. WAFF,

Plaintiff,

vs.

ESMERALDA CO., NEVADA, *et al.*,

Defendants.

Case No. 2:10-cv-88-KJD-RJJ

ORDER

Plaintiff's Application to Proceed *in Forma Pauperis* (#1) was granted by the Court on March 18, 2010. *See*, Minutes of Proceedings (#16). At said hearing, the Court found that Plaintiff is unable to pre-pay the filing fee. Good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiff shall not be required to pre-pay the full filing fee of three hundred fifty dollars (\$350.00).

IT IS FURTHER ORDERED that the movant herein is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor. This Order granting leave to proceed in forma pauperis shall not extend to the issuance of subpoenas at government expense.

IT IS FURTHER ORDERED that the Clerk of the Court shall issue summons to the named defendants herein, and deliver same to the U.S. Marshal for service. Plaintiff shall have twenty (20) days in which to furnish to the U.S. Marshal the required Forms USM-285. Within twenty (20) days after receiving from the U.S. Marshal a copy of the Form USM-285 showing whether service has been accomplished, Plaintiff must file a notice with the Court identifying which

1 defendants were served and which were not served, if any. If Plaintiff wishes to have service again
2 attempted on an unserved defendant(s), then a motion must be filed with the Court identifying the
3 unserved defendant(s) and specifying a more detailed name and/or address for said defendant(s), or
4 whether some other manner of service should be attempted.

5 IT IS FURTHER ORDERED that Plaintiff shall have to and including January 3,
6 2011, to complete service on the named defendants.

7 IT IS FURTHER ORDERED that henceforth, Plaintiff shall serve upon defendants
8 or, if appearance has been entered by counsel, upon the attorney(s), a copy of every pleading,
9 motion or other document submitted for consideration by the court. Plaintiff shall include with the
10 original paper submitted for filing a certificate stating the date that a true and correct copy of the
11 document was mailed to the defendants or counsel for the defendants. The court may disregard any
12 paper received by a district judge or magistrate judge which has not been filed with the Clerk, and
13 any paper received by a district judge, magistrate judge or the Clerk which fails to include a
14 certificate of service.

15 DATED this 2d day of September, 2010.

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ROBERT J. JOHNSTON
United States Magistrate Judge

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