

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Warren Picard

v.

Civil No. 09-cv-025-SM

Nashua Police Department, et al.

**O R D E R**

Before the Court is Warren Picard's complaint (document no. 1), filed pursuant to 42 U.S.C. § 1983, alleging that defendants violated his federal constitutional rights. The matter is before me for preliminary review to determine, among other things, whether the complaint states any claim upon which relief might be granted. See 28 U.S.C. § 1915A(a); United States District Court District of New Hampshire Local Rule 4.3(d)(2).

As fully explained in my Report and Recommendation, issued simultaneously with this Order, I find that Picard has stated federal constitutional claims upon which relief might be granted against defendants Treem and Garneaus alleging excessive force and inadequate medical care. Accordingly, I order that the complaint be served on defendants. My review of the file indicates that Picard has filed summons forms for each of the

defendants to be served. The Clerk's office shall issue the summonses against defendants and forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summonses and copies of the complaint (document no. 1), the Report and Recommendation, and this Order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall effect service upon defendants. See Fed. R. Civ. P. 4(c)(2).

Defendants are instructed to answer or otherwise plead within twenty days of service. See Fed. R. Civ. P. 12(a)(1)(A).

Picard is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendants by delivering or mailing the materials to them or their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

**SO ORDERED.**

  
James R. Muirhead  
United States Magistrate Judge

Date: April 20, 2009

cc: Warren Picard, pro se