

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 17-19 JVS (FFM) Date February 13, 2018
Title *Ronnie Lee v. Los Angeles County Probation Department et al.*

Present: The Honorable Frederick F. Mumm, United States Magistrate Judge
James Munoz None None
Deputy Clerk Court Reporter / Recorder Tape No.
Attorneys Present for Petitioner: Attorneys Present for Respondent:
None Present None Present

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THE COURT SHOULD NOT ORDER DEFENDANTS TO REIMBURSE THE UNITED STATES MARSHAL FOR SERVICE EXPENSES

The United States Marshal has asserted that it directly incurred expenses of \$75.68 and \$212.12 in personally serving the California Department of Corrections and Rehabilitation and the Los Angeles County Probation Department, respectively, after mailed waivers of service of process were not returned. (*See Attachments.*)

The Court therefore ORDERS defendants to show cause in writing, within 15 days of the date hereof, why the Court should not issue an order requiring defendants to reimburse the United States Marshal for the above-cited expenses. *See Fed. R. Civ. P. 4(d)(2).*

IT IS SO ORDERED.

Initials of Preparer _____ : _____
JM

ATTACHMENT

United States Marshals Service,
Central District of California
Los Angeles



Notification of Expenses Incurred by the United States Marshal RE:
In Forma Pauperis Personal Service on Defendant

To: The Honorable Judge Mumm
RE: Plaintiff Ronnie Lee v. Defendant LA County Probation Dept, et al.,
Case Number: CV 17-19 JVS (FFM)

The below listed expenses have been incurred directly as the result of the United States Marshal, Central District of California, performing personal service of the summons and complaint in the above titled action upon defendant California Department of Corrections & Rehabilitation and/or upon an individual who is among the class of persons who can accept service in the behalf of the defendant and/or who is legally competent to receive service of process within the usual dwelling place of abode of the defendant. The United States Marshal was ordered by the Court to personally serve this named defendant after a mailed waiver letter of service of process was not returned to the United States Marshal.

The United States Marshal for the Central district of California comes now to the Court concerning the instant In Forma Pauperis matter CV 17-19 JVS (FFM) in a request to have the Court ORDER the Defendant to reimburse the United States Marshal for the time and expense that was expended to personally serve him. The cost associated with this claim is evidenced on the attached form USM-285 in regards to the actual break-down of expenses resulting from Deputy Marshal time and vehicle mileage which is the customary basis for arriving at a monetary amount for this type of service of process activity. The United States Marshal for the Central District of California is now requesting a reimbursement of \$75.68 from this Defendant California Department of Corrections & Rehabilitation.

David M. Singer
United States Marshal
Central District of California

United States Marshals Service

See instructions for service of process by the U.S. Marshal on the reverse of this form.

PLAINTIFF RONNIE LEE	COURT CASE NUMBER CV 17-19 JUS TFM
DEFENDANT CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION	TYPE OF PROCESS CIVIL

SERVE → **AT** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
1515 S Street, Sacramento, California 95811

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

RONNIE LEE 1681 So. Harvard BL LOS ANGELES CA 90006	Number of process to be served with this Form - 285 2
	Number of parties to be served in this case 2
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Signature of Attorney or other Originator requesting service on behalf of:
Ronnie Lee

PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER: **323/600-7000**
DATE: **03/09/17**

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 2/2	District of Origin No. 12	District to Serve No. 12	Signature of Authorized USMS Deputy or Clerk Jandra Korta	Date 3/10/17
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above):
ROBIN STRINGER, LEGAL ASSISTANT

Address (complete only if different than shown above):

A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service: **12-7-17** Time: **1050** **pm**

Signature of U.S. Marshal or Deputy:
[Signature]

Service Fee 05-	Total Mileage Charges (including endeavors) 2.08	Forwarding Fee 8-	Total Charges 75.08	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: **3/31/17 mail waiver. 11/17/17 ~~matter waiver~~ prepare for Personal Service. Forward to 097 1127117 - Assigned personal service E/UA**

of Dusms **1** # of HRS: **1** # of R.T. miles **5**

United States Marshals Service,
Central District of California
Los Angeles



Notification of Expenses Incurred by the United States Marshal RE:
In Forma Pauperis Personal Service on Defendant

To: The Honorable Judge Mumm

RE: Plaintiff Ronnie Lee v. Defendant LA County Probation Dept, et al.,

Case Number: CV 17-19 JVS (FFM)

The below listed expenses have been incurred directly as the result of the United States Marshal, Central District of California, performing personal service of the summons and complaint in the above titled action upon defendant Los Angeles County Probation Department and/or upon an individual who is among the class of persons who can accept service in the behalf of the defendant and/or who is legally competent to receive service of process within the usual dwelling place of abode of the defendant. The United States Marshal was ordered by the Court to personally serve this named defendant after a mailed waiver letter of service of process was not returned to the United States Marshal.

The United States Marshal for the Central district of California comes now to the Court concerning the instant In Forma Pauperis matter CV 17-19 JVS (FFM) in a request to have the Court ORDER the Defendant to reimburse the United States Marshal for the time and expense that was expended to personally serve him. The cost associated with this claim is evidenced on the attached form USM-285 in regards to the actual break-down of expenses resulting from Deputy Marshal time and vehicle mileage which is the customary basis for arriving at a monetary amount for this type of service of process activity. The United States Marshal for the Central District of California is now requesting a reimbursement of \$212.12 from this Defendant Los Angeles County Probation Department.

David M. Singer

United States Marshal

Central District of California

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF Ronnie Lee	COURT CASE NUMBER CV 17-19 TJS RM
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DEFENDANT LOS ANGELES COUNTY PROBATION DEPARTMENT	TYPE OF PROCESS CIVIL
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SERVE → **AT** {

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
LOS ANGELES COUNTY PROBATION DEPARTMENT

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
9150 Imperial Highway Downey California 90242

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

[Ronnie Lee 1681 So. Howard BE Los Angeles, CA 90006	Number of process to be served with this Form - 285	2
	Number of parties to be served in this case	2
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold Fold

Signature of Attorney or other Originator requesting service on behalf of: Gonnie Lee	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 323-600-7000	DATE 03/09/17
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1/2	District of Origin No. 12	District to Serve No. 12	Signature of Authorized USMS Deputy or Clerk Andrea Jarka	Date 3/10/17
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) William Roue Clerk	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
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Address (complete only if different than shown above) 1000 S. ... MAR 10 09 17	Date of Service 10/19/17	Time 1300	am pm
	Signature of U.S. Marshal or Deputy 30349		

Service Fee 195	Total Mileage Charges (including endeavors) 176.12	Forwarding Fee	Total Charges 242.12	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: 3/30/17 mailed waiver 10/13/17 prep for personal service
10/17/17 2 DUSMS 32 MILES R/T 2HRS.

INSTRUCTIONS FOR COMPLETING USM-285, PROCESS RECEIPT AND RETURN

- The Form USM-285 is a five-copy form set designed as a control document for process served by a U.S. Marshal or designee. Process may include, but is not limited to, a summons and complaint, subpoena, writ, or court order. The United States Marshals Service (USMS) is authorized by law (28 U.S.C. § 1921) to charge fees for the service of process. The amount of fees charged is established by regulation (28 C.F.R. § 0.114). Except in cases where the litigant has been granted permission by the court for waiver of prepayment of fees and costs, the USMS must request advance payment of the estimated fees and expenses for service of process.
- Please type or print legibly. Submit one copy of the Form USM-285 and one copy of each process for each individual, company, corporation, government agency, etc., to be served or property to be seized.
- In cases where the court has directed the USMS to effect service of a summons and complaint upon an officer or agent of the United States Government, submit a copy of the summons and complaint and Form USM-285 for each officer or agent upon whom service is desired. Submit two (2) additional copies of the summons and complaint for service upon the Government of the United States. The U.S. Marshal or designee will serve one copy upon the U.S. Attorney and will forward the other copy to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or designee certifies service on the U.S. Attorney and the U.S. Attorney General, regardless of whether other defendants on the summons were served). Failure to provide sufficient copies will delay service of the summons.
- Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the USMS in expediting service. You are responsible for providing accurate and sufficient information that will identify the individual or entity to be served or the property to be seized.
- If more than one item of process and Form USM-285 is submitted on a single case, the U.S. Marshal or designee will receipt for all of them on the first Form USM-285. You will receive for your records the "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the process is served, you will receive the "Notice of Service" copy. This copy will be identical to the return to the Clerk of the U.S. District Court.
- Upon completion of all services, you will receive a "Billing Statement" copy of Form USM-285. You should return this "Billing Statement" copy to the USMS, together with your payment, in the form of a certified or bank check payable to the U.S. Marshal, for any amounts still owed. Alternatively, the USMS will accept cash. The USMS will not accept personal checks.
- Additional USM-285 forms may be obtained, without cost, from the Clerk of the U.S. District Court, U.S. Marshal, or printed from [http://www.usmarshals.gov/process/usm 285.pdf](http://www.usmarshals.gov/process/usm%20285.pdf).