

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 JASON SAUNDERS, CASE NO. CV-F-02-5806 OWW DLB P
11 Plaintiff, _____ ORDER RE REQUEST FOR SERVICE BY
12 UNITED STATES MARSHAL AT PLAINTIFF'S
13 EXPENSE
14 vs. (Doc. 102)
15 J.W. FAIRMAN, et al., TWENTY (20) DAY DEADLINE
16 Defendants.

19 Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C.
20 section 1983. The Court has previously ruled that plaintiff is not entitled to proceed in forma pauperis
21 in this action because he has previously accumulated at least three qualifying dismissals on the grounds
22 of being frivolous, malicious, or failing to state a claim. 28 U.S.C. § 1915(g); Court's Order filed
23 September 25, 2002.

24 Defendants J. W. Fairman, Bingham, Powers, Woods, Jennings, and Sanders have not yet been
25 served with the summons and complaint. On May 11, 2009, the Court ordered Plaintiff to either file a
26 motion requesting that the United States Marshal effect service on the remaining defendants, or notify
27 the Court that he wishes to effect service on his own. On May 20, 2009, Plaintiff notified that Court that
28 he requests service by the United States Marshal, at his own expense.

1 Plaintiff shall notify the Court within twenty (20) days of the locations for service for defendants
2 J. W. Fairman, Bingham, Powers, Woods, Jennings, and Sanders. The Court will then calculate the
3 approximate cost for service by the United States Marshal and Plaintiff will be provided with an
4 opportunity to submit payment.

5 Plaintiff is advised that the cost for service is \$55/hour for each Deputy United States Marshal,
6 and the current milage rate is \$0.55/mile.

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8 IT IS SO ORDERED.

9 Dated: September 16, 2009

10 /s/ Dennis L. Beck
11 UNITED STATES MAGISTRATE JUDGE
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