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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY ADDUCCI,

Plaintiff,

v.

KELLY HARRINGTON, et al.,

Defendants.

CASE NO. 1:07-cv-00762-AWI-SMS PC

ORDER DENYING UNITED STATES
MARSHAL'S REQUEST FOR
REIMBURSEMENT OF COSTS INCURRED
IN EFFECTING PERSONAL SERVICE ON
DEFENDANT LAWLESS

(Doc. 50)

ORDER DIRECTING CLERK'S OFFICE
TO SERVE ORDER ON MARSHAL'S
SACRAMENTO OFFICE

On July 16, 2010, the United States Marshal filed a request seeking reimbursement of the costs incurred in effecting personal service on Defendant Lawless. Fed. R. Civ. P. 4(d)(2). (Doc. 50.) Defendant Lawless made an appearance in this action on March 24, 2010, by filing a motion to dismiss. (Doc. 41.) The summons and complaint were forwarded from the Sacramento Marshal's Office to the Fresno Marshal's Office for personal service on June 14, 2010, and personal service was effected on June 24, 2010. (Docs. 50, 51.)

Because Defendant Lawless made an appearance in this action prior to the initiation of the personal service process, the Marshal's request for reimbursement of costs is HEREBY DENIED. The Clerk's Office is DIRECTED to serve a copy of this order on the Marshal's Sacramento Office. IT IS SO ORDERED.

Dated: November 24, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE