

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

Oba Lee Frelimo,) No. 1:08-CV-01040-SMM
Plaintiff,)
vs.) **ORDER**
J. Garcia, et al.,)
Defendants.)

On February 22, 2010, the U.S. Marshal Service filed a Request for Court Order Reimbursing U.S. Marshal Service Fees (Doc. 31). The U.S. Marshal seeks reimbursement of the service fees incurred with serving G. Smith in the total amount of \$250.25. The Court finds that the California Department of Corrections, rather than Defendants, should pay the service fees to the U.S. Marshal. The Court will give the California Department of Corrections the option to pay the service fees to the U.S. Marshal now, or alternatively, to defer the costs to the conclusion of the case when judgment is entered.

Accordingly,

IT IS HEREBY ORDERED that the California Department of Corrections has the option to pay the service fees to the U.S. Marshal now, or alternatively, to defer the costs to the conclusion of the case when judgment is entered. The California Department of Corrections shall inform the Court of its election by **March 26, 2010**.

DATED this 9th day of March, 2010.

Stephen M. McNamee
Stephen M. McNamee
United States District Judge