

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **EASTERN DISTRICT OF CALIFORNIA**  
8

9 **KAREEM STANSBURY,**

10  
11 **Plaintiff,**

12 **v.**

13 **UNITED STATE GOVERNMENT, et al.,**

14 **Defendants.**

CASE NO.: 1:09-CV-1042-SMS (PC)

**ORDER DENYING MARSHAL'S  
MOTION FOR REIMBURSEMENT**

15  
16 Plaintiff Kareem Stansbury, a federal prisoner, filed this civil action on June 15, 2009,  
17 alleging violations of his civil rights by federal actors. The named defendants were the "United  
18 States Government" and two correctional officers, "P. Torres" and "Campos."

19 On January 29, 2010, the Court ordered the United States Marshal to serve process upon  
20 defendants Campos and Torres. Doc. 13. The Marshal was directed to attempt to secure a waiver of  
21 service before attempting personal service. If a defendant did not return a waiver of service within  
22 sixty days, the Marshal was directed to effect personal service in accordance with the provisions of  
23 Rule 4 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c), without prepayment of costs,  
24 and to file the return of service with evidence of any attempt to secure a waiver of service and with  
25 evidence of all costs subsequently incurred in effecting personal service.  
26  
27  
28

1 The U.S. Attorney was served in Sacramento. Doc. 14. Defendant P. Torres waived service  
2 in April 2010. Doc. 15. The record is silent as to service or attempts to effect service on Defendant  
3 Campos at this time. On June 27, 2011, in response to a motion brought by Defendant Torres, the  
4 Court dismissed the case based on Plaintiff's failure to exhaust and entered judgment.

5 For unexplained reasons, the Marshal did not personally serve Defendant Campos until  
6 January 17, 2014, more than two and one-half years after the case was closed. Doc. 29. On January  
7 30, 2014, the Marshal moved for reimbursement of the costs associated with serving Defendant  
8 Campos.  
9

10 The Marshal's having failed to serve Defendant Campos until long after the case was closed,  
11 its motion for reimbursement of expenses of service is hereby DENIED.

12  
13 IT IS SO ORDERED.

14 Dated: November 26, 2014

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE