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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL CHAVEZ,
Plaintiff,
v.
JAMES YATES, et al.,
Defendants.

Case No. 1:09-cv-01080-AWI-SKO (PC)
ORDER REQUIRING DEFENDANT
KUSHNER TO PAY UNITED STATES
MARSHALS OFFICE \$120.00 WITHIN
FIFTEEN DAYS, AND DIRECTING
CLERK'S OFFICE TO SERVE ORDER ON
MARSHALS OFFICE
(Doc. 63)

On May 27, 2014, the United States Marshals Office filed (1) a USM-285 form for Defendant Kushner certifying that he was personally served on April 7, 2014, and (2) a request for reimbursement of the \$120.00 expense incurred in effecting personal service. Fed. R. Civ. P. 4(d)(2)(A). (Docs. 59, 60.)

On June 23, 2014, the Court provided Defendant Kushner fifteen days within which to show good cause for failing to waive service of process. Fed. R. Civ. P. 4(d)(2)(A). Defendant Kushner was warned that if (1) he failed to respond to the order or (2) he responded but failed to show good cause, he would be required to reimburse the United States Marshals Office \$120.00 for the expense incurred in effecting personal service. *Id.*

The deadline to respond to the Court's order was July 11, 2014, and Defendant Kushner failed to file a response. Fed. R. Civ. P. 6(a), (d).

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Accordingly, the Court HEREBY ORDERS as follows:

1. Within **fifteen (15) days** from the date of service of this order, Defendant Kushner shall reimburse the Sacramento Division of the United States Marshals Office \$120.00 for the expense incurred in effecting personal service; and
2. The Clerk's Office shall serve a courtesy copy of this order on Daniel Bietz at the Sacramento Division of the United States Marshals Office.

IT IS SO ORDERED.

Dated: July 15, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE