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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARTIN LOUIS SAIZ,

CASE NO. 1:12-cv-00912-AWI-SMS

Plaintiff,

v.

ORDER DIRECTING SERVICE BY THE
UNITED STATES MARSHALS SERVICE
WITHOUT PREPAYMENT OF COSTS

HANFORD POLICE DEPARTMENT, et al.,

Defendants.

_____ /

The Court finds that service of the Second Amended Complaint is appropriate.

Accordingly, it is HEREBY ORDERED, pursuant to Federal Rule of Civil Procedure 4(c), that:

1. For *each* defendant to be served, the Clerk of the Court is directed to forward the following documents to the United States Marshals Service:
 - (1) One completed and issued summons;
 - (2) One completed USM-285 form;
 - (3) One copy of the Second Amended Complaint filed on July 23, 2012, plus an extra copy for the Marshals Service;
 - (4) One copy of this order, plus an extra copy for the Marshals Service; and
 - (5) One copy of the Court’s consent form.
2. Within ten days from the date of this order, the Marshals Service is directed to notify the following defendants of the commencement of this action and to request

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1 a waiver of service in accordance with the provisions of Fed. R. Civ. P. 4(d) and
2 28 U.S.C. § 566(c):

3 Officer Cavasos

4 Officer Martinez

5 Hanford Police Department

- 6 3. The Marshals Service is directed to retain its copies of the summons and the
7 complaint in its file for future use.
- 8 4. The Marshals Service shall file returned waivers of service as well as any requests
9 for waivers of service that are returned as undelivered as soon as they are
10 received.
- 11 5. If a waiver of service is not returned by a defendant within sixty days of the date
12 of mailing the request for waiver, the Marshals Service shall:
- 13 a. Personally serve process and a copy of this order upon the defendant
14 pursuant to Rule 4 of the Federal Rules of Civil Procedure and 28 U.S.C.
15 § 566(c), and shall command all necessary assistance from the Hanford
16 Police Department to execute this order. The Marshals Service shall
17 maintain the confidentiality of all information provided by the Hanford
18 Police Department pursuant to this order. .
 - 19 b. Within ten days after personal service is effected, the Marshals Service
20 shall file the return of service for the defendant, along with evidence of
21 any attempts to secure a waiver of service of process and of the costs
22 subsequently incurred in effecting service on said defendant. Said costs
23 shall be enumerated on the USM-285 form and shall include the costs
24 incurred by the Marshals Service for photocopying additional copies of the
25 summons and complaint and for preparing new USM-285 forms, if
26 required. Costs of service will be taxed against the personally served
27 defendant in accordance with the provisions of Fed. R. Civ. P. 4(d)(2).

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