



1 for waiver and accompanying documents to these Defendants on or about April 19, 2013.  
2 Defendants did not return the waiver within thirty days and Plaintiff now makes this request of  
3 the Court.

4           The failure of Defendants to return the waiver does not, however, entitle Plaintiff to  
5 service by the United States Marshal where he is not proceeding in forma pauperis. As the Court  
6 explained in the April 3, 2013, order, if Defendants do not return the waiver of service within  
7 thirty days, Plaintiff must then effectuate personal service:  
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9           Plaintiff must effect personal service on any Defendants whom Plaintiff does not request  
10 to waive service and on any Defendants who are requested to waive service but fail to  
11 return the Waiver of Service of Summons form to Plaintiff. In either situation, the  
12 summons, a copy of the First Amended Complaint, and a copy of this order must be  
13 personally served on each Defendant (not the Attorney General's Office or any other  
14 governmental entity). Plaintiff may not effect personal service himself. Fed. R. Civ. P.  
15 4(c)(2). Service may be effected by any person who is not a party to this action and who  
16 is at least eighteen years old. *Id.* Plaintiff should review Rule 4(e), provided with this  
17 order, as it more fully addresses how personal service is effected.

18           Accordingly, Plaintiff is not entitled to service by the United States Marshal and his  
19 motion is DENIED. The time frame set forth in the April 3, 2013, order remains in effect.

20 IT IS SO ORDERED.

21 Dated: May 29, 2013

22 /s/ Dennis L. Beck  
23 UNITED STATES MAGISTRATE JUDGE  
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