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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRYAN DENTON,)	1:13-cv-00017-AWI-BAM (PC)
)	
Plaintiff,)	ORDER GRANTING REQUEST FOR
)	ORDER RESCINDING PREVIOUS MEMO
v.)	REIMBURSING U.S. MARSHAL SERVICE
)	FEES
PULIDO, et al.,)	(ECF Nos. 27, 28)
)	
Defendants.)	
)	
)	
)	

Plaintiff Bryan Denton (“Plaintiff”) is a state prisoner proceeding in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On February 18, 2014, the Court ordered the United States Marshal to serve process upon the defendant in this case. The Marshal was directed to attempt to secure a waiver of service before attempting personal service on the defendants. If a waiver of service was not returned by a defendant within sixty days, the Marshal was directed to effect personal service on the defendant in accordance with the provisions of Rule 4 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c), without prepayment of costs, and to file the return of service with evidence of any attempt to secure a waiver of service and with evidence of all costs subsequently incurred in effecting personal service.

On April 25, 2014, Defendant Pulido filed an answer. (ECF No. 20.)

On May 12, 2014, the Marshal returned a waiver of service executed by Defendant Pulido. (ECF No. 24.)

1 On May 23, 2014, the Marshal returned process showing personal service of Defendant
2 Pulido. (ECF No. 26.) The Marshal also filed a request for reimbursement of service fees.
3 (ECF No. 27.)

4 On May 28, 2014, the Marshal filed the instant request to rescind the memorandum
5 seeking reimbursement of fees. According to the request, the Marshal has concluded that fees
6 are not appropriate in this case. (ECF No. 28.)

7 The Marshal's request for an order rescinding the previous memo seeking reimbursement
8 of the U.S. Marshals Service fees is GRANTED. The memorandum seeking reimbursement of
9 service fees, which was filed on May 23, 2014, is HEREBY DISREGARDED.

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11 IT IS SO ORDERED.

12 Dated: May 29, 2014

13 /s/ Barbara A. McAuliffe
14 UNITED STATES MAGISTRATE JUDGE
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