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5	UNITED ST	ATES DISTRICT COURT
6 7	EASTERN DISTRICT OF CALIFORNIA	
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8 9	GUILLERMO CRUZ TRUJILLO,	Case No. 1:14-cv-01370-LJO-EPG (PC)
10	Plaintiff,	ORDER GRANTING MARSHAL'S REQUEST FOR REIMBURSEMENT OF COSTS FOR SERVICE
11	v.	(ECF NOS. 68, 69, & 71)
12	GOMEZ, et al.,	
13	Defendants.	
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15	Guillermo Trujillo ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis	
16	with this civil rights action filed pursuant to 42 U.S.C. § 1983. This case now proceeds on	
17	Plaintiff's Third Amended Complaint (ECF No. 17) against defendants Gomez, Juarez, and	
18	Fernandez for excessive force in violation of the Eighth Amendment. (ECF Nos. 19, 20, & 21).	
19	On February 14, 2017, the Court ordered the United States Marshal Service ("the Marshal") to	
20	serve process on defendant Juarez. (ECF No. 60).	
21	On May 1, 2017 the Marshal filed a USM-285 form indicating that on April 25, 2017,	
22	personal service was effected upon defendant Juarez. (ECF No. 68). That same day the Marshal	
23	filed a request for a court order requiring defendant Juarez to reimburse the costs incurred by the	
24	Marshal for personal service, pursuant to Rule 4(d)(2) of the Federal Rules of Civil Procedure.	
25	(ECF No. 69). According to the Marshal, the cost of personal service was \$64.21. (ECF Nos. 68	
26	& 69). Because the Marshal did not indicate whether defendant Juarez failed to waive service	
27	(which is required for reimbursement under Rule 4(d)(2)), on May 8, 2017, the Court gave the	
28	Marshal fourteen days to provide eviden	ce that defendant Juarez failed to waive service (ECF No.

1	70). On May 18, 2017, the Marshal filed a copy of the letter it sent to defendant Juarez. (ECF	
2	No. 71, p. 3). The letter asked defendant Juarez to waive service, and warned him that if he did	
2	not he could be required to pay the full costs of personal service. (<u>Id.</u>).	
4	Because defendant Juarez is apparently located in the United States, did not waive service,	
5	and failed to show good cause as to why he did not waive service, the Court will grant the	
6	Marshal's request.	
7	Accordingly, based on the foregoing, IT IS HEREBY ORDERED that:	
8	1. Defendant Juarez is to pay the Marshal \$64.21; and	
9	2. The Marshal is directed to serve a copy of this order on defendant Juarez by mail	
10	to the address that the Marshal sent the request for waiver of service to. ¹	
11	IT IS SO ORDERED.	
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13	Dated: May 22, 2017 /s/ Encir P. Group	
14	UNITED STATES MAGISTRATE JUDGE	
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27	¹ The Court is not providing defendant Juarez's address in this order due to security and privacy concerns. (<u>See</u> ECF Nos. 30 & 37). Additionally, defendant Juarez has not yet appeared in the	
28	case, despite the deadline for filing a responsive pleading passing (ECF No. 68), so the Court is not aware of his preferred address for mailing.	