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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

WILLIAM FABRICIUS,  
Plaintiff,  
v.  
TULARE COUNTY, et al.  
Defendants.

Case No. 1:15-cv-01779-EPG

**ORDER DIRECTING SERVICE BY THE  
UNITED STATES MARSHAL SERVICE  
WITHOUT PREPAYMENT OF COSTS**

Plaintiff William Fabricius is proceeding pro se and in forma pauperis with this action. Plaintiff filed a Third Amended Complaint (“3AC”) on July 24, 2017. (ECF No. 75.) On July 31, 2017, the Court issued an order directing Plaintiff to complete and submit service documents for any defendants listed in his 3AC who were not previously served with process in this action. (ECF No. 76.) The Court instructed Plaintiff to provide information for service of process on form USM-285, sufficient copies of the Complaint for service, and a notice of submission. Id. Plaintiff has filed the requested papers. Accordingly, IT IS HEREBY ORDERED:

1. The Clerk of the Court is DIRECTED to forward the following documents to the United States Marshal Service:
  - a. One completed and issued summons for each defendant to be served;
  - b. One completed USM-285 form for each defendant to be served;
  - c. One copy of the Third Amended Complaint filed on July 24, 2017 for each defendant to be served, in addition to one extra copy for the United States Marshal Service;

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- d. One copy of this Order for each defendant to be served, in addition to one extra copy for the United States Marshal Service;
  - e. One copy of the court's consent form for each defendant to be served.
2. Within ten days from the date of this Order, the United States Marshal Service is DIRECTED to notify the following defendants of the commencement of this action and to request a waiver of service in accordance with the provisions of Federal Rule of Civil Procedure 4(d) and 28 U.S.C. § 566(c):
- a. Tulare County Board of Supervisors;
  - b. Patrick Hamblin, Tulare County Animal Control Office;
  - c. Cecile F. Shaffer, DVM, Redwood Veterinary Hospital;
  - d. Ralph Mario Agnello, Esq.;
  - e. Thomas Elliott Hornburg, Esq.;
  - f. Kathleen Alison Taylor, Esq.;
  - g. Lisa Marie Tennenbaum, Esq.;
  - h. Teresa Maese Morales Saucedo, Esq.;
  - i. Kathleen Marie Bales-Lange, Esq.;
  - j. Deanne Hill Peterson, Esq.;
  - k. Bradley McLean, Tulare County Sheriff's Office;
  - l. Sgt. Lance Heiden, Tulare County Sheriff's Office;
  - m. Oladalo Popoola, Tulare County Sheriff's Office;
  - n. Zendajas, Tulare County Sheriff's Office;
  - o. Judge Valeriano Saucedo;
  - p. Mike Ennis, Tulare County Board of Supervisors;
  - q. Pete Vander Poel III, Tulare County Board of Supervisors; and
  - r. Steve Worthley, Tulare County Board of Supervisors.
3. The United States Marshal Service is DIRECTED to retain the summons and a copy of the Complaint in their files for future use;

- 1           4. The United States Marshal Service shall file returned waivers of service as well as  
2           any requests for waivers of service that are returned as undelivered as soon as they  
3           are received;
- 4           5. If a waiver of service is not returned by a defendant within sixty days of the date of  
5           mailing the request for waiver, the United States Marshal Service shall:
- 6                 a. Personally serve process and a copy of this Order on the defendant  
7                 pursuant to Federal Rule of Civil Procedure 4(d) and 28 U.S.C. § 566(c);
- 8                 b. Within ten days after personal service is effected, the United States  
9                 Marshal Service shall file the return of service for the defendant, along  
10                with evidence of any attempts to secure a waiver of service of process and  
11                of the costs subsequently incurred in effecting service on said defendant.  
12                Said costs shall be enumerated on the USM-285 form and shall include the  
13                costs incurred by the Marshal's office for photocopying additional copies  
14                of the summons and Complaint and for preparing new USM-285 forms, if  
15                required. Costs of service will be taxed against the personally served  
16                defendant in accordance with the provisions of Federal Rule of Civil  
17                Procedure 4(d)(2).
- 18           6. In the event that defendants make an appearance in this action by filing an answer,  
19           dispositive motion, or other pleading, the United States Marshals Service need not  
20           personally serve those defendants; and,
- 21           7. In the event that defendants either waive service or are personally served,  
22           defendants are required to reply to the Complaint.

23  
24 IT IS SO ORDERED.

25 Dated: October 26, 2017

26 */s/ Eric P. Gray*  
27 UNITED STATES MAGISTRATE JUDGE  
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