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

SHANNON SORRELLS,	)	Case No.: 1:16-cv-00081-DAD-SAB (PC)
Plaintiff,	)	
v.	)	ORDER REQUIRING DEFENDANT HORTON TO
	)	SHOW CAUSE WHY EXPENSE OF PERSONAL
	)	SERVICE SHOULD NOT BE TAXED AGAINST
	)	HIM
UNITED STATES MARSHALS SERVICE,	)	
et al.,	)	(ECF Nos. 44-46 )
Defendants.	)	
	)	FIFTEEN-DAY DEADLINE

Plaintiff Shannon Sorrells is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Pending before the Court is a request by the United States Marshals Service for reimbursement of the expense incurred in effecting personal service on Defendant Horton, filed on May 18, 2017. (ECF Nos. 44-46.)

Pursuant to the Federal Rules of Civil Procedure, individuals have “a duty to avoid unnecessary expenses of serving the summons.” Fed. R. Civ. P. 4(d)(1). “If a defendant located within the United States fails, without good cause, to sign and return a waiver requested by a plaintiff located within the United States, the court must impose on the defendant . . . the expense later incurred in making service. . . .” Fed. R. Civ. P. 4(d)(2)(A).

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1 Based on the information provided by the Marshals Service, attempts were made to obtain a  
2 waiver of service of the summons from Defendant Horton on February 16, 2017. (ECF No. 46.) On  
3 May 2, 2017, the Marshal effected personal service, incurring an expense of \$66.61. (ECF No. 45)

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. Defendant Horton has **fifteen (15) days** from the date of this order within which to  
6 show good cause for failing to waive service; and
- 7 2. If Defendant Horton either (1) fails to respond to this order or (2) responds but fails to  
8 show good cause, he will be required to reimburse the United States Marshals Service  
9 the \$66.61 expense incurred in effecting personal service.

10  
11 IT IS SO ORDERED.

12 Dated: May 24, 2017



13 UNITED STATES MAGISTRATE JUDGE