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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

AHKEEM DESHAVIER WILLIAMS,

Case No. 1:18-cv-00183-AWI-SKO

Plaintiff,

v.

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

CALIFORNIA HIGHWAY PATROL
OFFICER ANDERSON,

Defendant. /

The Court previously found service of the First Amended Complaint appropriate. (Doc. 16.)
Accordingly, pursuant to Federal Rule of Civil Procedure 4(c), it is HEREBY ORDERED that:

1. For each defendant to be served, the Clerk of the Court is directed to forward the following documents to the United States Marshals Service:
 - a) One completed and issued summons;
 - b) One completed USM-285 form;
 - c) One copy of the First Amended Complaint filed on April 26, 2018, plus an extra copy for the Marshals Service;
 - d) One copy of this order, plus an extra copy for the Marshals Service; and
2. Within ten days from the date of this order, the Marshals Service is directed to notify the following defendant of the commencement of this action and to request a waiver of service in accordance with the provisions of Fed. R. Civ. P. 4(d) and 28 U.S.C. § 566(c): California Highway Patrol Officer Anderson.
3. The Marshals Service shall file returned waivers of service as well as any requests for waivers of service that are returned as undelivered as soon as they are received.

1 4. If a waiver of service is not returned by the defendant within thirty days of the date
2 of mailing the request for waiver, the Marshals Service shall:

3 a) Personally serve process and a copy of this order upon the defendant pursuant
4 to Rule 4 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c), and
5 shall command all necessary assistance from the California Highway Patrol
6 to execute this order. The Marshals Service shall maintain the confidentiality
7 of all information provided by the California Highway Patrol pursuant to this
8 order.

9 b) Within ten days after personal service is effected, the Marshals Service shall
10 file the return of service for the defendant, along with evidence of any
11 attempts to secure a waiver of service of process and of the costs subsequently
12 incurred in effecting service on said defendant. Said costs shall be
13 enumerated on the USM-285 form and shall include the costs incurred by the
14 Marshals Service for photocopying additional copies of the summons and
15 complaint and for preparing new USM-285 forms, if required. Costs of
16 service will be taxed against the personally-served defendant in accordance
17 with the provisions of Fed. R. Civ. P. 4(d)(2).

18 **5. If the defendant waives service, he is required to return the signed waiver to the**
19 **Marshals Service. The filing of an answer or a responsive motion does not**
20 **relieve the defendant of this requirement, and the failure to return the signed**
21 **waiver may subject the defendant to an order to pay the costs of service**
22 **pursuant to Fed. R. Civ. P. 4(d)(2).**

23 6. Once the defendant either waives service or is personally served, he is required to
24 respond to the First Amended Complaint.

25
26 IT IS SO ORDERED.

27 Dated: July 24, 2018

28 */s/ Sheila K. Oberto*
UNITED STATES MAGISTRATE JUDGE