

THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

Delbert Stickler,	)	CIVIL NO. 2:08-00701 JMS
	)	
Plaintiff,	)	ORDER GRANTING UNITED
	)	STATES MARSHALS SERVICE’S
vs.	)	REQUEST FOR REIMBURSEMENT
	)	
Jeffrey Burkard,	)	
	)	
Defendant.	)	
	)	
_____	)	

**ORDER GRANTING UNITED STATES MARSHALS SERVICE’S  
REQUEST FOR REIMBURSEMENT**

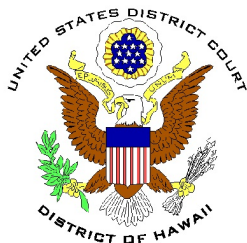
On April 3, 2008, pro se Plaintiff Delbert Stickler (“Plaintiff”) filed this civil rights action pursuant to 42 U.S.C. § 1983. On November 30, 2009, the United States Marshals Service, Civil Division, Eastern District of California (“U.S. Marshals Service”) filed a request for an Order for Reimbursement (“Request for Reimbursement”) seeking reimbursement for fees pursuant to Federal Rule of Civil Procedure 4(d)(2). Rule 4(d)(2) requires that if a defendant located within the United States fails, without good cause, to sign and return a service of process waiver, the court must impose on defendant “(A) the expenses later incurred in making service; and (B) the reasonable expenses, including attorney’s fees, of any motion required to collect those service expenses.”

The U.S. Marshals Service indicates on the USM-285 form filed with the court that it was required pursuant to Rule 4(d)(2) to personally serve Defendant Jeffrey Burkard (“Defendant”). The U.S. Marshals Service personally served Erika Hrbacek, on behalf of Defendant, on November 23, 2009. According to the USM-285 form, the U.S. Marshals Service incurred an expense of \$98.29 to complete personal service.

Pursuant to Rule 4(d)(2), the court ORDERS Defendant to reimburse the U.S. Marshals Service for \$98.29.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, January 14, 2010.



/s/ J. Michael Seabright  
J. Michael Seabright  
United States District Judge

*Stickler v. Burkard*, Civ. No. 2:08-00701 JMS, Order Granting United States Marshals Service’s Request for Reimbursement