

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

Moody Woodrow Tanksley,

No. 2:08-CV-02216-SRT

Plaintiff,

vs.

ORDER GRANTING UNITED STATES  
MARSHALS SERVICE'S REQUEST  
FOR REIMBURSEMENT

California Department of Corrections,  
et. al.,

Defendants.

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On September 19, 2008, pro se Plaintiff Moody Woodrow Tanksley (“Plaintiff”) filed this civil rights action pursuant to 42 U.S.C. § 1983. On January 27, 2010, 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 Rules 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 serve Defendants Parsons, Williams, Boccella, Marisoal, and Roberson (“Defendants”). The U.S. Marshals Service served Defendants on December 9, 2009. According to the USM-285 form, the U.S. Marshals Service incurred expenses of \$ 349.35 to complete service to these defendants.

Pursuant to Rule 4(d)(2), the court ORDERS Defendants to reimburse the U.S. Marshals Service for \$ 349.35.

IT IS SO ORDERED.

DATED: April 20, 2010

/s/ Judge Sidney R. Thomas  
Judge Sidney R. Thomas  
United States Circuit Judge  
Sitting by Designation