

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRAVIS GEORGE MISKAM,)	CIVIL NO. 2:08-02229 JMS
)	
Plaintiff,)	ORDER GRANTING UNITED
)	STATES MARSHALS SERVICE’S
vs.)	REQUEST FOR REIMBURSEMENT
)	
S. MCALLISTR, et al.,)	
)	
Defendants.)	
)	
_____)	

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

On September 22, 2008, pro se Plaintiff Travis George Miskam (“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 Defendants N. Grannis, K.J. Allen, and R. Pimentel. The U.S. Marshals Service personally served these three defendants on November 17, 2009. According to the USM-285 form, the U.S. Marshals Service incurred an expense of \$85.82 for each defendant served for a total expense of \$257.46.

Pursuant to Rule 4(d)(2), the court ORDERS Defendants N. Grannis, K.J. Allen, and R. Pimentel to each reimburse the U.S. Marshals Service for \$85.82, for a total of \$257.46.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, January 4, 2010.



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

Miskam v. McAllistr, Civ. No. 2:08-02229 JMS, Order Granting United States Marshals Service's Motion for Reimbursement