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

TRI NGUYEN,

Plaintiff,

No. 2:08-cv-2983 JAM JFM (PC)

vs.

JOSEPH BICK, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this action seeking relief pursuant to 42 U.S.C. § 1983.

On December 10, 2009, the court ordered defendants N. Grannis and J. Bick to pay to the United States Marshal the sum of \$74.25 for failure to waive service. On December 31, 2009, defendants, seeking relief from the order, filed a written statement in which they assert that the waiver of service was forwarded to the California Attorney General (“AG”) office for defense. The AG referred this matter to counsel of record, but did not forward the waiver of service when they forwarded a copy of the complaint.

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1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. Defendants' request for relief from this court's order to pay the sum of
3 \$74.25 to the United States Marshal is denied¹; and

4 2. The Clerk of the Court is directed to serve a copy of this order on the
5 United States Marshal.

6 DATED: February 1, 2010.

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9 UNITED STATES MAGISTRATE JUDGE

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26 ¹ Defendants appear to have a reasonable basis to seek reimbursement from the office of
the Attorney General.