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

MEL TYRONE EDWARD,

No. CIV S-10-0979-JAM-CMK-P

Plaintiff,

vs.

ORDER

D. SWINGLE, et al.,

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On December 9, 2011, the court directed defendant Medina to show cause why the United States Marshal’s request for reimbursement of costs of personal service should not be granted. Defendant Medina filed his response on January 6, 2012. In his response, defendant Medina notes that the United States Marshal submitted a return of service indicating that personal service had been effected on an individual named Derek Bunnell. Because the costs incurred by the United States Marshal were not done so to effect service on defendant Medina, the request for reimbursement of service costs will be denied and the order to show cause will be discharged.

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Accordingly, IT IS HEREBY ORDERED that:

1. The United States Marshal's request for reimbursement of service costs (Doc. 34) is denied; and
2. The December 9, 2011, order to show cause is discharged.

DATED: January 11, 2012



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE