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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOLENE JOHNSON,

Plaintiff,

v.

SAN JOAQUIN COUNTY SHERIFF'S  
DEPARTMENT, et al.,

Defendants.

No. 2:14-cv-00663-MCE-AC

ORDER

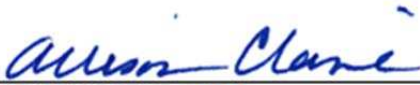
The United States Marshal's Service ("USM") filed a request for reimbursement for personal service upon defendants on February 23, 2015, as well as copies of Form USM-285. ECF Nos. 25, 26. Defendants then filed an opposition to the USM's request on March 3, 2015, asserting that they should not be required to pay the costs of personal service because they had filed service waivers. ECF No. 27.

Federal Rule of Civil Procedure 4(d) imposes the costs of personal service upon any defendant who fails to return a waiver without good cause. On January 6, 2015, waivers of service dated the same day were filed from both defendants. ECF Nos. 15, 16. Nevertheless, the USM's process receipts reflect that they personally served both defendants on February 19, 2015. ECF No. 25. The court finds that Federal Rule 4(d) does not require defendants to pay the costs of personal service because they filed the proper service waivers before the USM personally

///

1 served them. Accordingly, IT IS HEREBY ORDERED that the USM's request for  
2 reimbursement, ECF No. 26, is DENIED.

3 DATED: July 22, 2015

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5 ALLISON CLAIRE  
6 UNITED STATES MAGISTRATE JUDGE  
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