

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GERALD WILKINS,

Plaintiff,

v.

MARVIN F. POWERS, et al.,

Defendants.

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Case No. 3:07-cv-599 GPM

ORDER

This case comes before the Court upon review of the docket. On February 27, 2009, United States District Judge G. Patrick Murphy entered an order directing the Clerk to prepare Requests for Waiver of Service of Summons for nine Defendants: Powers, Caliper, George, Clover, Baker, Watkins, Dunn, Malone, and Jordan (Doc. 28). On March 3, 2009, these Requests for Waivers were sent to the United States Marshal for service pursuant to Federal Rule of Civil Procedure 4(c)(2), in the manner specified in Fed. R. Civ. P. 4(d)(2). Executed waivers of service were filed with the Court on May 4, 2009, as to Defendants Powers, Caliper, Clover, Baker, Dunn, and Malone (Doc. 33). On May 4, 2009, the United States Marshal Service filed motions indicating that Defendants George, Jordan, and Watkins were no longer employed with the Illinois Department of Corrections, and asking the Court to enter an order directing the Illinois Department of Corrections (“IDOC”) to provide the Marshal with the last known address for these Defendants (Docs. 34 and 35) . The Court granted the motion and entered an order directing the IDOC to provide the Marshal with the last known addresses of these former employees (Doc. 36). On May 19, 2009, the Court received a response from the Illinois Public Safety Shared Service Center stating it had no personnel records for three individuals and asking the Court to provide social security numbers for each of the

Defendants so that they might be identified. The Court does not have that information.

In order to expedite service of these three defendants in this case, now over two years old, the Court **DIRECTS** the Clerk to prepare summons for Defendants Carol George, Katie Jordan, and Christine Watkins, and **ORDERS** the United States Marshal to personally serve process upon Defendants Carol George, Katie Jordan, and Christine Watkins pursuant to Rule 4 of the Federal Rules of Civil Procedure and 28 U.S.C. §566(c).

Within ten days after personal service is effected, the United States Marshal shall file the return of service for these Defendants, along with evidence of any attempts to secure a waiver of service of process and of the costs subsequently incurred in effecting service on said Defendant. Said costs shall be enumerated on the USM-285 form and shall include the costs incurred by the Marshal's office for photocopying additional copies of the summons and complaint and for preparing new USM-285 forms, if required. Costs of service will be taxed against the personally-served Defendant in accordance with the provisions of Federal Rule of Civil Procedure 4(d)(2) unless the Defendant shows good cause for such failure.

The Clerk is **DIRECTED** to forward a copy of this order to the Marshal Service.

IT IS SO ORDERED.

DATED: September 1, 2009

s/ Donald G. Wilkerson
DONALD G. WILKERSON
United States Magistrate Judge