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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 FRANK A. WALLMULLER,

11 Plaintiff,

12 v.

13 SCOTT RUSSELL, DEBORAH
WOFFORD, and PATRICIA FLORES,

14 Defendants.
15

CASE NO. C14-5121 RBL-JRC

ORDER

16 This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate
17 Judge pursuant to 28 U.S.C. §§ 636 (b) (1) (A) and (B) and Local Magistrate Judge Rules MJR
18 1, MJR 3, and MJR 4.

19 Plaintiff asks the Court to waive the filing fee in this case so that defendants can be
20 served at the expense of the Court (Dkt. 16). The Court denies plaintiff's motion because
21 defendants have waived service of process and this issue is moot.

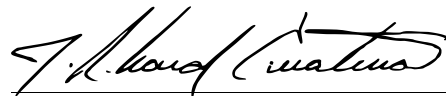
22 Defendants removed this matter from state court, but defendants originally indicated that
23 they may be contesting the sufficiency of service of process (Dkt. 1, p. 1). The Court ordered
24 plaintiff to apply for in forma pauperis status if he wanted the Court to serve the matter for him

1 (Dkt. 4). Defendants answered the complaint and again stated that they did not waive service of
2 process (Dkt. 5, p. 1). Approximately one month later, defendants informed the Court that they
3 waived formal service of process (Dkt. 15).

4 Plaintiff's motion to waive filing fees (Dkt. 16) is moot. The filing fee was paid by
5 defendants when they removed the action from state court. Plaintiff does not need in forma
6 pauperis status for service of process as service had been formally waived (Dkt. 15). The Court
7 denies plaintiff's motion.

8 The Clerk's Office is instructed to remove Dkt. 16 from the Court's calendar.

9 Dated this 15th day of April, 2014.

10 

11 J. Richard Creatura
12 United States Magistrate Judge