

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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KEVIN SIERRA LOPEZ,

Plaintiff,

v.

Case No. 14-C-1480

LT. M. MALLISEE, et al.,

Defendants.

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**ORDER**

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Plaintiff was ordered to show cause why he did not provide the court, in a timely fashion, with the names of the John Doe defendants he had named. His counsel now explains that the lapse was entirely his fault, a product of case load and lack of assistance. He has now rectified the problem by filing an amended complaint containing several named defendants. The substance of the complaint was already screened, and so all that is left is to order service of the second amended complaint upon the Defendants. Therefore,

**IT IS ORDERED** that the United States Marshal shall serve a copy of the second amended complaint upon the defendants pursuant to Federal Rule of Civil Procedure 4. The plaintiff is advised that Congress requires the U.S. Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(a). The current fee for waiver-of-service packages is \$8.00 per item mailed. The full fee schedule is provided at 28 C.F.R. §§ 0.114(a)(2), (a)(3). Although Congress requires the court to order service by the U.S. Marshals Service precisely because *in forma pauperis* plaintiffs are indigent, it has not made any provision for these fees to be waived either by the court

or by the U.S. Marshals Service.

**IT IS ALSO ORDERED** that the defendants shall file a responsive pleading to the complaint.

Dated this 19th day of October, 2015.

/s William C. Griesbach  
William C. Griesbach, Chief Judge  
United States District Court