Domai v. Ahleen et al Doc. 7

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

GUY M. DOMAI,

v.

Plaintiff,

MEMORANDUM DECISION AND ORDER ON SERVICE OF PROCESS

Case No. 2:15-cv-00564-DN-EJF

District Judge David Nuffer

Magistrate Judge Evelyn J. Furse

DAN AHLEEN, FNU FISHER, and GATEWAY,

Defendants.

On August 13, 2015, the Court granted Plaintiff Guy M. Domai leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. (ECF No. 2.) Subsequently, District Judge David Nuffer referred this case to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 4.)

Rule 4 requires a court to serve process for plaintiffs it has authorized to proceed *in forma pauperis* under 28 U.S.C. § 1915. Fed. R. Civ. P. 4(c)(3) ("At the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court *must* so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915 ") (emphasis added); *see Olsen v. Mapes*, 333 F.3d 1199, 1204 (10th Cir. 2003) ("When a plaintiff is granted in forma pauperis status, the district court is required to serve process for the plaintiff.").

The Complaint does not provide an address for any of the Defendants. Therefore, the Court first ORDERS Mr. Domai to file a Notice by Monday, June 27, 2016 containing the Defendants' addresses, along with the addresses of the Defendants' registered agent or other person authorized to accept service of process.

After Mr. Domai supplies the necessary information regarding where to serve the Defendants, the Court DIRECTS the Clerk of Court to prepare a summons for the Defendants in this case. The United States Marshals Service shall serve a completed summons, a copy of the Complaint, and a copy of this Order upon the Defendants.

DATED this 13th day of June, 2016.

BY THE COURT:

EVELYN . FUR

United States Magistrate Judge