UNITED STATES DISTRICT COURT

Eastern District of California Office of the Clerk 501 I Street Suite 4-200 Sacramento, California 95814

Victoria C. Minor Clerk **REPLY TO:** Divisional Office

2500 Tulare Street, Room 1501 Fresno, California 93721 559/499-5600

INSTRUCTIONS FOR SERVICE OF SOCIAL SECURITY APPEALS

The court has issued an order granting your application to proceed without prepayment of fees and directing that service of process be made by the United States Marshal. You must provide the clerk's office with the following:

- 1. The original Summons and five (5) copies of the Summons
- 2. Five (5) copies of the Order directing service by the U.S. Marshal
- 3. Five (5) copies of the Complaint
- 4. One completed USM-285 form addressed to the Social Security Administration
- 5. Five (5) copies of any other documents to be served

The original Summons and one copy of the service order is for the U.S. Marshal Service. The original Summons will be filed with the court following the service of a copy of the Summons and Complaint on the defendant(s). One set of documents (Summons, Complaint, Service Order and any additional documents) will be served on the U.S. Attorney, one set will be served on the Commissioner of Social Security, two sets will be served on the U.S. Attorney General, and one set will be retained by the U.S. Marshal Service. Please include an additional set of documents and a USM-285 form for any additional Federal employee or agency who is named as a defendant in your action.

> OFFICE OF THE CLERK United States District Court Eastern District of California

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No.____

NOTICE OF SUBMISSION

SOCIAL SECURITY APPEAL

OF DOCUMENTS IN

Plaintiff,

_____ /

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____ /

Plaintiff hereby submits the following documents in compliance with the court's order filed ______.

□ 1 completed USM-285 form

- □ 5 copies of the complaint
- □ 1 original Summons and 5 copies of the Summons
- 5 copies of the order directing service by the
 U.S. Marshal
- □ 5 copies of other documents to be served:

DATED:

Signature of Plaintiff

TO BE COMPLETED BY THE CLERK:

Documents forwarded to U.S. Marshal on: _____

(Date) (Initials)

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice

United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

Signature of Attorney other Originator requesting service on behalf of: DEFENDANT TELEPHONE NUMBER DATE DEFENDANT DEFENDANT DEFENDANT SPACE BELOW FOR USE OF U.S. MARSHAL ONLY DO NOT WRITE BELOW THIS LINE I acknowledge receipt for the total number of process indicated. (Sign of M) for USM 285 if more No. Date Date Date Date Date Date Date Date Dat							COURT CASE NUMBER TYPE OF PROCESS		
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- 2. USMS RECORD
- 3. NOTICE OF SERVICE
- 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal. 5. ACKNOWLEDGMENT OF RECEIPT

INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. DO NOT DETACH ANY COPIES. Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.