

1 The "Affidavit of Service" filed by Plaintiff indicates that he hired a process server who
2 indicated he "served [the] U.S. Department of State ... by serving Christine Heifferson, Paralegal,
3 authorized to accept service." (Doc. 8 at 2) This affidavit does not indicate that Plaintiff "deliver[ed] a
4 copy of the summons and of the complaint to the United States attorney for the district where the
5 action is brought" or mailed "a copy of each by registered or certified mail to the Attorney General of
6 the United States at Washington, D.C.," as required by Rule 4(i) of the Federal Rules. Thus, service
7 has not been properly effected and the entry of default is not appropriate. *See Duckworth v. Dep't of*
8 *Navy*, 1992 U.S. App. LEXIS 21168 (9th Cir. Sept. 10, 1992) (observing the plaintiff "failed to deliver
9 a copy of the summons and complaint to the United States Attorney for the Central District of
10 California, where the action was originally brought" and denying default judgment "[b]ecause the
11 government was not properly served")

12 Accordingly, the Court **ORDERS**:

- 13 1. Plaintiff's request for the entry of default by the Clerk of Court (Doc. 13) is **DENIED**;
- 14 2. Plaintiff's motion for default judgment (Doc. 14) is terminated as **UNRIPE**.

15
16 IT IS SO ORDERED.

17 Dated: July 28, 2018

/s/ Jennifer L. Thurston
18 UNITED STATES MAGISTRATE JUDGE