

1 Commissioner by personally delivering a copy of the summons and complaint to an individual
2 named Mimi Taylor at 6401 Security Boulevard, Baltimore, MD 21235 on April 29, 2013. (ECF
3 No. 5.) However, it appears that plaintiff did not also serve the United States Attorney for the
4 Eastern District of California or the Attorney General of the United States at Washington, D.C.,
5 and that service of process thus has not been completed.


6 Moreover, the Commissioner has previously advised the court that, due to inherent delays
7 when service is made upon the Commissioner in Baltimore, M.D., a copy of the summons and
8 complaint should instead be sent by registered or certified mail to the Commissioner of Social
9 Security, c/o Office of General Counsel, Region IX, 160 Spear Street, Suite 800, San Francisco,
10 CA, 94105-1545. See Fed. R. Civ. P. 4(i)(2). Although plaintiff's counsel cannot be faulted for
11 being unaware of this information, it possibly explains the delay encountered by plaintiff's
12 counsel, in addition to the fact that plaintiff did not complete the other components for service of
13 process on the Commissioner.

14 Accordingly, IT IS HEREBY ORDERED that:

- 15 1. Plaintiff's request for default (ECF No. 7.) is DENIED WITHOUT PREJUDICE.
- 16 2. Within 28 days of this order, plaintiff shall complete service of process by serving the
17 Commissioner, the United States Attorney for the Eastern District of California, and
18 the Attorney General of the United States at Washington, D.C., as specified above and
19 in the Federal Rules of Civil Procedure, with the complaint, summons, scheduling
20 order, a copy of this order, and other appropriate case documents.
- 21 3. Within 28 days of this order, plaintiff shall file a declaration demonstrating that such
22 service of process has been completed. The deadlines outlined in the scheduling order
23 will track the date of such service.

24 IT IS SO ORDERED.

25 Dated: July 24, 2013

26 
27 _____
28 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE