

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ANTHONY M. RANDOLPH,
Plaintiff,

v.

Case No. 3:24-CV-243 (OAW)

MARCUCCI,
Defendant.

ORDER

In response to the court's initial review order, at ECF No. 14, Plaintiff has filed an amended complaint reasserting his excessive force claim against defendant Sergeant Martucci in his individual capacity. ECF No. 17. Accordingly, the court now enters the following orders.

(1) The Clerk of Court respectfully is asked to mail a waiver of service of process request packet containing the amended complaint, the initial review order, and this order to Defendant at G.A. 23, 121 Elm Street, New Haven, CT 06510, within twenty-one (21) days of this order, and report to the court on the status of the waiver request on the thirty-fifth (35th) day after mailing. If the defendant fails to return the waiver request, the Clerk of Court shall arrange for in-person service by the U.S. Marshals Service on Defendant in his individual capacity and Defendant shall be required to pay the cost of such service.

(2) The Clerk of Court shall please send Plaintiff a copy of this order.

(3) Defendant shall file his response, either an answer or motion to dismiss, within sixty (60) days from the date the waiver form is sent. If he chooses to file an answer, he shall admit or deny the allegations and respond to the cognizable claim recited in the amended complaint at ECF No. 17. He also may include all additional defenses permitted by the Federal Rules of Civil Procedure.

(4) Discovery, pursuant to Federal Rules of Civil Procedure 26 through 37, shall be completed within seven months (210 days) from the date of this order. Discovery requests are not filed with the court.

(5) All motions for summary judgment shall be filed within eight months (240 days) from the date of this order.

(6) Pursuant to Local Rule 7(a), a nonmoving party must respond to a dispositive motion within twenty-one (21) days of the date the motion was filed. If no response is filed, or if the response is not timely filed, the dispositive motion can be granted absent objection.

(7) Plaintiff shall utilize the Prisoner Electronic Filing Program when filing documents with the court. Plaintiff is advised that the program may be used only to file documents with the court. As local court rules provide that discovery requests are not filed with the court, discovery requests must be served on Defendant's counsel by regular mail. In addition, Plaintiff must serve copies of all documents by regular mail on any defendant who does not participate in electronic filing.

