

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMANDA ROSS,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 08-619-SLR
)	
JULIE GARCIA,)	
)	
Defendant.)	

MEMORANDUM ORDER

At Wilmington this ^{4th} day of December, 2009, having considered plaintiff Amanda Ross' ("plaintiff") letters/motions to reopen (D.I. 31, 32);

IT IS ORDERED that the motions are **granted** and the case is **reopened** for the reasons discussed below:

1. Plaintiff, who proceeds *pro se*, filed a civil rights action pursuant to 42 U.S.C. § 1983 on September 25, 2008. (D.I. 1). On November 3, 2009, the court dismissed the case without prejudice for plaintiff's failure to submit a USM-285 form for the Chief Deputy Attorney General for the State of Delaware and copies of the complaint and amended complaint as previously ordered by the court. (See D.I. 29, 30)

2. On November 24 and 30, 2009, the court received letters from plaintiff wherein she stated that on July 17, 2009 she had submitted the USM-285 form for the Chief Deputy Attorney General to the Clerk of Court and to the Chief Deputy Attorney General. (D.I. 31, 32) The court has searched its file and it does not contain a USM-285 form for the Chief Deputy Attorney General. Nor does it contain additional copies of the complaint and amended complaint as required for service. It is unknown why the

court did not receive plaintiff's forms. Accordingly, the court will grant the motion.

IT IS FURTHER ORDERED that:

1. Within **thirty (30) days** from the date of this order plaintiff shall complete and **submit to the Clerk of Court** an original "U.S. Marshal-285" form for the Attorney General of the State of Delaware, 820 N. FRENCH STREET, WILMINGTON, DELAWARE, 19801, pursuant to 10 Del. C. § 3103(c). She shall also **provide the Clerk of Court** with **two copies** of the **complaint** (D.I. 1) and **amended complaint** (D.I. 26) for service upon the remaining defendant and the attorney general. Plaintiff is placed on notice that **failure to provide the "U.S. Marshal 285" form for the attorney general and copies of the complaint and amended complaint within the thirty day time period may result in the complaint being dismissed. There will be no further extensions.**

2. Upon receipt of the form(s) required by paragraph 1 above, the United States Marshals Service shall proceed with service as set forth in the September 17, 2009 memorandum and order. (D.I. 29)


UNITED STATES DISTRICT JUDGE