

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

JOSE RODRIGUEZ, *pro se*,

Plaintiff,

v.

Case No. 8:12-cv-1069-T-30TGW

UNITED STATES OF AMERICA,  
DEPARTMENT OF VETERAN AFFAIRS,

Defendant.

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**ORDER**

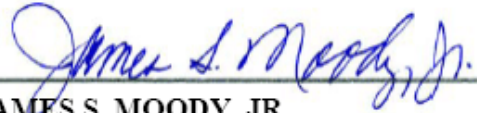
THIS CAUSE comes before the Court upon Plaintiff's Response (Dkt. #8) to this Court's Order to Show Cause why proper service has not been timely effectuated upon Defendant pursuant to Rule 4(m), Fed.R.Civ.P. Plaintiff's Response (Dkt. #8) is non-responsive and should be stricken. Service by mail of a Case Management Report is premature as well as irrelevant to proper service of a lawsuit upon Defendant. Plaintiff may not serve Defendant via mail under Fed.R.Civ.P. 4(d) because the United States is a Defendant.

It is therefore ORDERED AND ADJUDGED that:

1. Plaintiff's Response (Dkt. #8) is STRICKEN.

2. Plaintiff has twenty (20) days from the date of this Order in which to file proof of proper service of the lawsuit upon Defendant. Failure to do so shall result in the dismissal of this case without further notice.

**DONE** and **ORDERED** in Tampa, Florida on September 28, 2012.

  
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**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

Copies furnished to:  
Counsel/Parties of Record

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