

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

MADJID GHASSEMIAN POUR BAVANDI,

Plaintiff,

v.

CASE NO. 1:08-cv-178-SPM-AK

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICE,

Defendant.

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**ORDER**

This cause, challenging Defendant's refusal to grant Plaintiff's request for naturalization, is before the Court on Doc. 1, Complaint. Plaintiff brings this cause *pro se*, and he has paid the filing fee. He has also provided service copies of the complaint. As such, he is responsible for serving his complaint upon the Defendant in accordance with the applicable rules and procedure. To aid in this effort, the Court will direct Plaintiff to the applicable rule for service and will request the Clerk to forward a copy of the rule to Plaintiff for his reference.

Generally, the complaint must be served upon a defendant within 120 days from the date of the filing of the complaint. Fed. R. Civ. P. 4(m). This complaint was filed August 19, 2008, and thus, Plaintiff has 120 days from that date to serve Defendant. Pursuant to the federal regulations, service must be effected on the Attorney General of the United States, Michael B. Mukasey, and the official in charge of the Service office where the naturalization hearing was

held, Leonard J. Susalla, Jacksonville Field Office Director.

Accordingly, to effect service of process, each must receive a copy of the complaint as well as a summons which will be issued by the Clerk of the Court. Fed. R. Civ. P. 4(i). Under this rule, a copy of the complaint and the summons that is issued to Plaintiff by the Clerk of this Court must be sent via *registered or certified mail* to Attorney General Mukasey **and** Mr. Susalla. Fed. R. Civ. P. 4(i)(2). Copies of the complaint and summons must also be sent via *registered or certified mail* to a representative from the United States Attorney's Office for this district. Fed. R. Civ. P. 4(I)(1).

Service for the United States Attorney for the Northern District of Florida may be addressed to: Civil Process Clerk, United States Attorney's Office, Northern District of Florida, 111 N. Adams Street, Fourth Floor, Tallahassee, Florida 32301. Service for the Attorney General of the United States should be sent to: Department of Justice, Room 511, Washington, D.C. 20530. Service for Mr. Susalla should be sent to: 4121 Southpoint Blvd., Jacksonville, Florida 32216. Plaintiff is reminded that he must serve the summonses and complaints within 120 days of **August 19, 2008**, or his complaint may be dismissed. *See* Fed. R. Civ. P. 4(m).

Accordingly, it is **ORDERED**:

1. The Clerk shall forward to Plaintiff a copy of Fed. R. Civ. P. 4.
2. The Clerk of Court shall forthwith issue summonses for Defendant and deliver those summonses to Plaintiff, who shall be responsible for prompt service of the summons and complaint upon Defendant.
3. **Plaintiff is reminded that it is his responsibility to serve Defendant within 120 days of August 19, 2008. Failure to timely serve any Defendant in this case will result in a**

**recommendation to the District Judge that the case against that Defendant be dismissed.**

4. After a response to the complaint has been filed by the Defendant, Plaintiff shall be required to mail to the attorney(s) for Defendant a copy of every pleading or other paper, including letters, submitted for consideration by the Court. Plaintiff shall include with the original paper to be filed with the Clerk of Court a "certificate of service" which states the date a correct copy of the paper was mailed to Defendant or to the attorney(s) representing Defendant. Any paper submitted for filing after a response to the complaint has been filed by the Defendant which does not contain a "certificate of service" shall be returned by the Clerk and disregarded by the Court.

5. In accordance with 28 U.S.C. § 636(c)(2), the Clerk of Court shall forward to Plaintiff a form for consenting to trial by the magistrate judge, with the case number written on it. If Plaintiff wishes to consent, he should sign the form and forward it to counsel for Defendant, who shall return it to the Clerk only if Defendant consents.

**DONE AND ORDERED** this   8th   day of September, 2008.

S/A.Kornblum  
**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**