

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

CYRIL MARCUS STEPHENS,

Plaintiff,

v.

CASE NO. 1:12-cv-94-MP-GRJ

UNIVERSITY OF FLORIDA,

Defendant.

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ORDER

This matter is before the Court on Plaintiff's *pro se* First Amended Complaint. (Doc. 5.) The Court granted Plaintiff's request to proceed *in forma pauperis* in a separate order. (Doc. 4.) The Court has reviewed the First Amended Complaint and determines it is sufficient to alert the Defendant of the nature and basis of Plaintiff's claims. The Court will order service of the First Amended Complaint on the Defendant. The Plaintiff, however, has not provided the clerk with copies of the First Amended Complaint or a completed summons for service by the United States Marshal on the Defendant

Plaintiff is advised that service on the Defendant is governed by Fed. R. Civ. P. 4(j)(2). When serving a state or any other state-created governmental organization service must be made either by delivering a copy of the summons and complaint to its chief executive officer or by serving a copy of the summons and complaint upon the defendant in the manner prescribed by state law. Florida law provides that service of process against any municipal corporation, agency, board, or commission, department, or subdivision of the state or any county which has a governing board, council or

commission can be made upon the president of the body, or in the president's absence, the vice president of the body, or else on any member of the governing board, council or commission. FLA. STAT. 48.111(1).

Defendant the University of Florida is a state created university with a President and a Board of Trustees. The Court will therefore order the Clerk of Court to send the Plaintiff a blank summons form. Plaintiff shall fill-out the summons and return the completed summons and a copy of the First Amended Complaint to the Clerk on or before **June 15, 2012**. Upon receipt of the required documents the clerk will deliver the summons and a copy of the First Amended Complaint to the United States Marshal for service on the Defendant.

Accordingly, it is **ORDERED**:

1. The Clerk is directed to send Plaintiff a blank summons form.
2. Plaintiff shall fully complete the summons form and return the summons form with a copy of the First Amended Complaint to the Clerk **on or before June 15, 2012**.

DONE AND ORDERED this 1st day of June, 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge