

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

VICKI LYNN TRENT,

Plaintiff,

v.

CASE NO. 1:12-cv-207-MP-GRJ

MICHAEL J ASTRUE,
Commissioner of Social Security,

Defendant.

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ORDER

This matter is before the Court on Plaintiff's complaint for judicial review of the final decision of the Commissioner (Doc. 1) and motion to proceed in *forma pauperis* with financial affidavit. (Doc. 3). The Court has reviewed the financial affidavit and finds that the Plaintiff is unable to pay the costs of this action pursuant to 28 U.S.C. § 1915(a) and therefore leave to proceed *in forma pauperis* is due to be granted.

As a defendant, Plaintiff has named the Commissioner of the Social Security Administration. Pursuant to Fed. R. Civ. P. 4(c)(3), because the Court has granted Plaintiff's request for leave to proceed as a pauper, the Court will order the United States Marshal to serve the Commissioner of Social Security, the United States Attorney for this district and the Attorney General of the United States as required under Fed. R. Civ. P. 4(i).

In order for the United States Marshal to serve the Commissioner, the United States Attorney for this district, and the Attorney General of the United States, the Clerk of Court must provide the Marshal with service copies of the Complaint and completed

summons forms and USM 285 forms for service upon each Defendant. Plaintiff did not provide the Court with service copies of the Complaint, completed summons forms or completed USM 285 forms. The Clerk will thus be instructed to send Plaintiff three blank summons forms and three blank USM 285 forms. Plaintiff shall complete a summons form and USM 285 form for service upon (i) the United States Attorney for the Northern District of Florida; (ii) the Attorney General of the United States and (iii) the Commissioner of Social Security and shall return 3 service copies of the Complaint and each completed form to the Clerk of Court on or before **October 1, 2012**.

Accordingly, it is hereby **ORDERED**:

- (1) Plaintiff's Motion To Proceed In Forma Pauperis (Doc. 3) is **GRANTED** to the extent this case may be filed without prepayment of fees.
- (2) The Clerk is directed to send Plaintiff three blank summons forms and three blank USM 285 forms. Plaintiff shall provide to the Clerk of Court 3 service copies of the Complaint and completed and signed summons forms and USM 285 forms for service upon the **United States Attorney for the Northern District of Florida** (Process Clerk, United States Attorney's Office, Northern District of Florida, 111 N. Adams Street, 4th Floor, Tallahassee, Florida 32301); the **Attorney General of the United States** (Department of Justice, 10th Street and Constitution Ave. NW, Washington, D.C. 20530); and the **Commissioner of the Social Security Administration** (c/o The General Counsel, 6401 Security Blvd., Baltimore, Maryland 21235) on or before **October 1, 2012**.
- (3) Upon receipt of the service copies of the Complaint, the summonses and the USM 285 forms from Plaintiff, the Clerk of Court is directed to send the prepared summonses, four certified copies of this order, the service copies of the Complaint, and the prepared USM 285 forms to the United States Marshal.
- (4) The United States Marshal shall serve the Commissioner of the Social Security Administration, the Attorney General of the United States, and the office of the United States Attorney for this District by sending copies of the summons and complaint **via certified mail** to the Attorney General of the United States, to the United States Attorney for the Northern District of Florida, and to the Commissioner of the Social Security Administration.

- (5) If after 25 days from the mailing of the summons and complaint, the Defendant has not returned a written acknowledgment of service, the Marshal shall so notify the Plaintiff. Plaintiff shall then send the Marshal an identical copy of the complaint for the Defendant who has not acknowledged service. Upon receipt of these service copies, the Marshal shall **personally** serve that Defendant, and subsequently file with the clerk the return of service.
- (6) Failure to comply with this order within the allotted time, or to show cause why Plaintiff is unable to comply, will result in a recommendation to the district judge that this case be dismissed without further notice for failure to prosecute and failure to obey a Court directive.

DONE AND ORDERED this 17th day of September, 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge