

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

TERRY L. HALE,
Plaintiff,

vs.

Case No. 3:08cv324/MCR/EMT

JOHN E. POTTER,
Defendant.

ORDER

Plaintiff, proceeding *pro se*, has filed a civil rights complaint pursuant to 42 U.S.C. § 2000 (Doc. 1). The filing fee has been paid.

Plaintiff is informed that it is his responsibility to formally serve the complaint so that Defendant may be given an opportunity to respond to his allegations. The clerk shall be directed to issue summonses so that Plaintiff may effect service.

In light of Plaintiff's *pro se* status, the court will provide him with information concerning service. To effect service of process, Plaintiff must deliver a copy of the summons and complaint to the United States Attorney for this district or send a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the Office of the United States Attorney for the Northern District of Florida, 21 East Garden Street, Suite 400, Pensacola, Florida 32502. Fed. R. Civ. P. 4(i). Plaintiff must also send a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States in Washington, D.C. *Id.* Finally, Plaintiff must send a copy of the summons and complaint by registered or certified mail to John E. Potter, Postmaster General of the United States Postal Service, Southeast Area Agency. *See id.*

Plaintiff should thoroughly review Rule 4 of the Federal Rules of Civil Procedure before attempting service. Plaintiff is further informed that he must serve the summonses and complaint within 120 days from the date of filing the complaint or the cause may be dismissed. *See Fed. R.*

Civ. P. 4(m).

Accordingly, it is **ORDERED**:

1. The clerk of court shall issue summonses, and deliver the summonses to Plaintiff, who shall be responsible for prompt service of the summonses and complaints as directed in this order.

2. After a response to the complaint has been filed by Defendant, Plaintiff shall be required to mail to the attorney for Defendant a copy of every pleading or other paper 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 the attorney representing Defendant. Any paper submitted for filing after a response to the complaint has been filed by Defendant which does not contain a “certificate of service” shall be returned by the clerk and disregarded by the court.

3. In accordance with 28 U.S.C. § 636(c)(2), the clerk shall forward to Plaintiff a form for consenting to trial by the magistrate judge, with this case number written on it. Plaintiff may, but is not required to, consent. 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 11th day of December 2008.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY

UNITED STATES MAGISTRATE JUDGE