

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

DARRELL L. JACKSON,

Plaintiff,

vs.

Case No: 5:11-cv-414-RS-GRJ

H. FROMM, NURSE,

Defendant.

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**ORDER OF SPECIAL APPOINTMENT; SERVICE OF PROCESS
UPON DEFENDANT; AND NOTICE TO PLAINTIFF**

This case is before the Court on Doc. 1, a *pro se* civil rights complaint pursuant to 28 U.S.C. § 1983. Plaintiff has been granted leave to proceed as a pauper by separate order and the allegations against the Defendant are deemed sufficient to alert the Defendant to the nature and basis of Plaintiff's claim. This Order directs service of the Complaint on Plaintiff's behalf.

Accordingly, it is **ORDERED**:

1. The Clerk shall print a copy of the Complaint and prepare and issue the summons, indicating that Defendant has **sixty (60) days following service** in which to file a response to the Complaint, and shall refer the summons to the United States Marshal, along with the copy of Plaintiff's Complaint (Doc. 1) and this Order.

2. Pursuant to Rule 4(c), Federal Rules of Civil Procedure, **Christon Holley** is specially appointed to serve process upon Defendant **Nurse H. Fromm** at the Northwest Florida Reception Center, a facility within the Florida Department of Corrections. In the absence of **Christon Holley**, the specially appointed process server designated above, **Lori English** is designated as an alternate server and shall comply with this Order as though issued in her name.

3. **Within 10 days** from the date of entry of this Order on the docket, the United States Marshal or a Deputy United States Marshal shall serve a copy of the Complaint, a summons, and this Order upon the Defendant. Service shall be accomplished **by mailing these documents by regular mail to the above named special process server who shall serve the Complaint.** All costs of service shall be advanced by the United States.

4. **Within 10 days** after receipt of the complaint and this order, **Christon Holley** shall **serve the Complaint upon the individual named above, complete and sign** the return of service, and **return** it to the Clerk of Court as proof of service. **Defendant shall also sign the return of service as an acknowledgment of receipt of service.**

5. If the Defendant is no longer employed at the designated institution or facility, or are otherwise unable to be served, the server shall report this information to the Clerk of Court **within 10 days** after receipt of the complaint and this Order. **If service is returned unexecuted, or if a return is not filed within twenty (20) days from the date of this order, the Clerk of Court shall immediately notify Chambers.**

6. Defendant shall have **60 days after service** in which to file a response to the Complaint.

7. No motion for summary judgment shall be filed by any party prior to entry of an Initial Scheduling Order without permission of the Court.

8. Counsel for Defendant shall file a notice of appearance **within 10 days** of the date of service.

9. Plaintiff is advised that after a response to the Complaint has been filed, no further amendments to the Complaint shall be permitted by the Court unless, as required by Rule 15 of the Federal Rules of Civil Procedure, Plaintiff files a separate motion for leave to so amend and provides a copy of the proposed amended complaint. N.D. Fla. Loc. R. 15.1.

10. 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 the case number written on it. If Plaintiff wishes to consent, the form should be signed and forwarded to counsel for Defendant. If the Defendant wishes to consent, the form should be signed and returned to the Clerk.

11. After a notice of appearance has been filed, Plaintiff shall be required to mail to the attorney for the Defendant a copy of every pleading or other paper, including letters, submitted for consideration by the Court. Plaintiff shall include with each pleading, motion, or other paper to be filed with the Clerk of the Court a certificate stating the date an identical copy of the paper was mailed to the attorney representing

the Defendant. Any paper so submitted for filing that does not contain a "certificate of service" shall be returned by the Clerk and disregarded by the Court.

12. Plaintiff is reminded to keep the Clerk of Court advised of any change in his mailing address should he be transferred, released from prison, or otherwise be relocated. Failure to do so may result in the dismissal of Plaintiff's action for failure to prosecute should court orders not be able to reach Plaintiff.

13. The Clerk of Court shall return this file to the undersigned **no later than May 4, 2012.**

DONE AND ORDERED this 27th day of February 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge