

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 08-22378-CIV-UNGARO

JOHN B. THOMPSON,
Plaintiff,

v.

TOM HALL et al.,
Defendants.


ORDER REQUIRING RESPONSE

THIS CAUSE came before the Court upon Plaintiff's Motion to Expedite Proceedings with a "Speedy Hearing," filed on September 11, 2008 (D.E. 13).

THE COURT has considered the Motion and the pertinent portions of the record and is otherwise fully advised in the premises. Plaintiff has filed a notice stating that Defendants were served on September 9, 2008. (D.E. 16.) However, no executed proof of service has been filed with the Court. Further, after making inquiry of the Attorney General's office with respect to whether it is representing Defendant in this action, the Court's staff was informed by representatives of the Attorney General's office on September 10, 2008, that no attorney had been assigned to this case as of that date. The Court infers from that response that no decision has been made whether the Attorney General will accept service by mail on behalf of the Defendant. The Court does not perceive that *ex parte* consideration of Plaintiff's motion is appropriate and, therefore, cannot properly consider Plaintiff's Motion to Expedite without a response from Defendants. It further appears that the Defendant may not respond without proper service having been made. Therefore, it is hereby

ORDERED AND ADJUDGED that Plaintiff SHALL effect proper service on the Defendant and file proof of service with the Court immediately thereafter.

DONE AND ORDERED in Chambers at Miami, Florida, this 12th day of September, 2008



URSULA UNGARO
UNITED STATES DISTRICT JUDGE

copies provided:
counsel of record