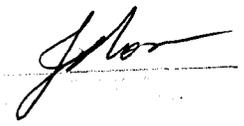


**United States District Court  
for the Southern District of Georgia  
Brunswick Division**

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIV.

2006 APR 24 P 2:52

CLERK 

R. JOHN GENINS,	:	CIVIL ACTION
Plaintiff,	:	
v.	:	
STATE BAR OF GEORGIA,	:	
NORMAN S. FLETCHER,	:	
JUSTICES OF THE GEORGIA	:	
SUPREME COURT, et al.,	:	
Defendants.	:	NO. CV205-116

O R D E R

Plaintiff filed the above captioned action on June 7, 2005. By Order dated January 24, 2006, the Court directed Plaintiff to show cause within fifteen (15) days from the date of the Order why the Court should not dismiss this action for failure to perfect service upon the U.S. District Court for the Southern District of Georgia, U.S. District Court for the Northern District of Georgia, Eleventh Circuit Court of Appeals, Supreme Court of the United States, and State of Georgia. Plaintiff was advised that failure to show cause

would result in dismissal of his claims against these defendants.

Plaintiff has failed to demonstrate good cause for his failure to perfect service upon these defendants. Plaintiff contends that he is excused from the service requirements because the defendants have constructive notice of his claims.<sup>1</sup> The Federal Rules of Civil Procedure require more than mere "notice" to perfect service. See Fed. R. Civ. P. 4(c) (requiring that the summons be served upon the defendant together with a copy of the complaint). Instead, the Rules provide a specific procedure necessary to effectuate service upon the federal or state government and its agencies. See Fed. R. Civ. P. 4(i) & 4(j)(2).

Despite providing Plaintiff numerous extensions of time to complete service, as of the date of this Order, there is no evidence before the Court that service has been made upon these defendants. Therefore, Plaintiff's claims against these defendants are **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is directed to enter appropriate judgment of dismissal accordingly.

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Plaintiff further asserts that these defendants, having responded to his complaint, have waived any defense as to service of process. In responding to Plaintiff's complaint, however, each of these defendants specifically reserved any defense of lack of service of process.

In light of the foregoing, the U.S. District Court for the Southern District of Georgia, U.S. District Court for the Northern District of Georgia, Eleventh Circuit Court of Appeals, and Supreme Court of the United States' pending motion to dismiss (Doc. No. 35) is **MOOT**.

SO ORDERED, this 24<sup>th</sup> day of April, 2006.

  
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JUDGE, UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA