

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

SCOUTERRIOUS LOFTON,)
)
 Plaintiff,)
)
v.)
)
WARDEN STANLEY WILLIAMS;)
and CERT OFFICER SANTIAGO,)
)
 Defendants.)

Case No. CV415-146

ORDER

In this 42 U.S.C. § 1983 case, the Court recently adopted the undersigned’s recommendation that several of plaintiff Scouterrious Lofton’s claims be allowed to proceed (and that several others be dismissed). Doc. 13 (adopting doc. 10). Because Lofton proceeds *in forma pauperis*, service must be effected by the United States Marshal. Fed. R. Civ. P. 4(c)(3).

Accordingly, the Clerk is **DIRECTED** to forward a copy of plaintiff’s complaint (doc. 1); his motion to amend (doc. 9); the undersigned’s preliminary review recommendation (doc. 10); and this Order to the Marshal for service upon all defendants. In most cases, the

Marshal will first mail a copy of the complaint and its amendment to a defendant by first-class mail and request that each defendant waive formal service of the summons. Fed. R. Civ. P. 4(d); Local Rule 4.7. Defendants have a duty to avoid unnecessary costs of serving the summons, and if they fail to comply with the waiver request, they must bear the costs of personal service unless good cause can be shown. Fed. R. Civ. P. 4(d). A within-district defendant who timely returns the waiver is not required to answer the complaint until thirty days after the date that the Marshal sent the request for waiver. Fed. R. Civ. P. 4(d)(3).

SO ORDERED, this 14th day of April, 2016.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA