

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WILLIE TROTTER,)	CIVIL NO. 17-00016 SOM-KSC
)	
Plaintiff,)	ORDER GRANTING PLAINTIFF'S
)	APPLICATION TO PROCEED IN
vs.)	FORMA PAUPERIS AND DIRECTING
)	SERVICE
STATE OF HAWAII, HAWAII)	
PAROLING AUTHORITY, and)	
HAWAII CRIMINAL JUSTICE DATA)	
CENTER,)	
Defendants.)	
_____)	

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN
FORMA PAUPERIS AND DIRECTING SERVICE**

Before this court is pro se Plaintiff Willie Trotter's non-prisoner civil rights Complaint and in forma pauperis application. See ECF Nos. 1, 2. Trotter names the State of Hawaii, Hawaii Paroling Authority, and Hawaii Criminal Justice Data Center as Defendants. He seeks relief under 42 U.S.C. § 1983. ECF No. 1.

Having established that he is a pauper, the court determines that he is unable to pay the cost of this proceeding or give security therefor. See 28 U.S.C. § 1915(a)(1). Accordingly, the court grants his Application to Proceed In Forma Pauperis.

The court directs the Clerk of Court to send Trotter three (3) copies of the Complaint (one for each named defendant), three (3) summons (one for each named defendant),

six (6) Notice of a Lawsuit and Request to Waive Service of a Summons forms (AO 398) (two for each named defendant), six (6) Waiver of the Service of Summons forms (AO 399) (two for each named defendant), and an instruction sheet. The Clerk shall send a copy of this order to the U.S. Marshals Service and the Attorney General for the State of Hawaii.

Trotter is directed to fully complete the forms and send them to the U.S. Marshals Service, 300 Ala Moana Boulevard, Room C-109, Honolulu, Hawaii 96850. Trotter must complete and send a set of U.S. Marshals Service forms for each named defendant. Trotter must also send to the U.S. Marshals Service a copy of this Order to Proceed In Forma Pauperis and Directing Service, the Complaint, and summons (for each named defendant).

The U.S. Marshals Service shall mail to each of the named defendants a copy of the Complaint, a completed Notice of a Lawsuit and Request to Waive Service of a Summons forms (AO 398), and a completed Waiver of the Service of Summons forms (AO 399). The U.S. Marshals Service shall retain a copy of the summons and a copy of the Complaint.

Defendants shall return the Waiver of the Service of Summons forms to the U.S. Marshals Service within thirty days from the date the requests are mailed. If the Waiver of the Service of Summons forms and Requests to Waive Service of a

Summons forms are returned as undeliverable, the U.S. Marshals Service shall immediately file them with the court.

If Defendants fail to return the Waiver of the Service of Summons forms within thirty days, the U.S. Marshals Service shall personally serve them. Within ten days after personal service is effected, the U.S. Marshals Service shall file the return of service for Defendants with evidence of any attempts to secure a waiver of service of summons and the costs incurred in effecting service. These costs will be taxed against the personally served defendant. See Fed. R. Civ. P. 4(d)(2).

Defendants shall file an answer or other responsive pleading within the time provided in the Federal Rules of Civil Procedure (within sixty days after the request for waiver of service was sent (if formal service is waived), or twenty days after personal service of the Summons and Complaint). See Fed. R. Civ. P. 4(d)(3) and Rule 12(a)(1)(B). Failure to do so may result in the entry of default.

Trotter shall inform the court of any change of address in writing by filing a document that bears the title "Notice of Change of Address." The notice shall contain only information about the change of address and its effective date and shall not include requests for other relief. Failure to file such notice may result in the dismissal of the action for

failure to prosecute under Federal Rule of Civil Procedure 41(b).

After the Complaint is served and Defendants have filed a responsive pleading, Trotter's documents will be deemed served on Defendants or their attorney(s) when they are electronically filed by the court. The U.S. Marshals Service is not responsible for serving these documents on Plaintiff's behalf.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, January 18, 2017.



/s/ Susan Oki Mollway

Susan Oki Mollway
United States District Judge

Willie Trotter v. State of Hawaii, Hawaii Paroling Authority, and Hawaii Criminal Justice Data Center, Civ. No. 17-00016 SOM-KSC; ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA PAUPERIS AND DIRECTING SERVICE.