

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARK ANDERSON,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
AGRICULTURE, ILLINOIS DEPARTMENT OF
AGRICULTURE and FARM SERVICES AGENCY,

Defendants.

Case No. 13-cv-672-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court for case management purposes. The Court notes that the Clerk of Court entered default against the United States Department of Agriculture (“USDA”) on October 28, 2013 (Doc. 20). On further review, it appears that plaintiff Mark Anderson did not serve the USDA in the manner required under Federal Rule of Civil Procedure 4(i)(2) and therefore is not entitled to entry of default. Accordingly, the Court **VACATES** the entry of default against the USDA (Doc. 20) and **DENIES** Anderson’s request for entry of default against the USDA (Doc. 18). The Court further **DENIES** the motion for default judgment (Doc. 18) for failure to serve the motion for default judgment as required by SDIL Local Rule 55.1(b) and for failure to obtain entry of default. The Court reminds Anderson that he has 120 days from the date the complaint was filed to effect service on the defendants. *See* Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.**DATED: October 29, 2013**

s/J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE