

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

HARRY TUNNELL)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:14-CV-269 JD
)	
U.S. DEPARTMENT OF DEFENSE,)	
)	
Defendant.)	

OPINION AND ORDER

Now before the Court is the Plaintiff’s motion for entry of default under Federal Rule of Civil Procedure 55(a). Under that rule, “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” For a party to have an obligation to plead or otherwise defend an action, though, it must first be properly served. The defendant here is the U.S. Department of Defense, and “[t]o serve a United States agency or corporation, . . . a party must serve the United States *and* also send a copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee.” Fed. R. Civ. P. 4(i)(2) (emphasis added).

The record indicates that the Plaintiff has only completed the latter requirement, in that he has only sent the summons and complaint to the Secretary of Defense. To properly complete service, however, he must also serve the United States according to the procedures specified under the Federal Rules of Civil Procedure. Pursuant to Rule 4(i)(1), to properly serve the United States, a plaintiff must do each of the following:

(A)(i) deliver a copy of the summons and of the complaint to the United States attorney for the district where the action is brought—or to an assistant United States attorney or clerical employee whom the United States attorney designates

