

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

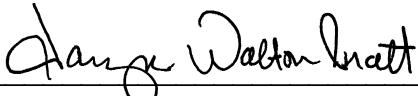
KENYATTA TYRONE JAMES,)	
)	
Plaintiff,)	
vs.)	No. 4:12-cv-50-TWP-DML
)	
UNITED STATES BUREAU OF)	
ALCOHOL, TOBACCO, FIREARM, AND)	
EXPLOSIVES (ATF) AGENCY, et al.,)	
)	
Defendants.)	

ENTRY

The motion for service of process by the United States Marshal on the defendant federal agency [Dkt. 41] is **denied**. The complaint, including the claim against the defendant agency, has not yet been screened as required by 28 U.S.C. § 1915A(b). Until that occurs, and only if the claim against the federal agency is not dismissed as legally insufficient, issuance of process to this defendant would be premature, and taking that step in this case would be particularly problematic. *See Lewis v. United States*, 492 F.3d 565, 572 (5th Cir. 2007) (“In order to hale the federal government into a court proceeding, a plaintiff must show that there has been a valid waiver of sovereign immunity.”).

IT IS SO ORDERED.

Date: 10/12/2012



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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