

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-61-FDW**

WILLIAM D. BULLARD,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
FNU SNIPES, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on periodic status review.

Pro se Plaintiff filed this action pursuant to 42 U.S.C § 1983, and the Complaint, (Doc. No. 1), passed initial review on claims against the following Defendants who were all employees at the Lanesboro Correctional Institution: Correctional Officers FNU Snipes and Heh, Sergeant FNU Pressley, and Nurse FNU Kapull. (Doc. No. 13). Plaintiff prepared summonses and the U.S. Marshals’ Service attempted service on December 15, 2017. (Doc. No. 14). However, only the summons as to Defendant Heh has been returned executed. (Doc. No. 17).

The Court recently enacted Local Rule 4.3 that sets forth a procedure to waive service of process for current and former employees of the North Carolina Department of Public Safety (“NC DPS”) in actions filed by North Carolina State prisoners. Due to the difficulty the U.S. Marshal has apparently experienced in attempting service of process, the Court will order the Clerk to commence the procedure for waiver of service as set forth in Local Rule 4.3 for the unserved Defendants who are current or former employees of NC DPS.

IT IS THEREFORE ORDERED that:

1. The Clerk of Court shall commence the procedure for waiver of service as set forth

in Local Rule 4.3 for **Defendants Snipes, Pressley, and Kapull**, who are current or former employees of NC DPS.

2. The Clerk is respectfully instructed to mail a copy of this Order to the U.S. Marshal.

Signed: June 14, 2018

A handwritten signature in black ink, reading "Frank D. Whitney", written over a horizontal line. The signature is cursive and stylized.

Frank D. Whitney
Chief United States District Judge

