

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-00337-FDW**

KAREEM LOCKE,)
)
 Plaintiff,)
)
 vs.)
)
 GEORGE SOLOMON, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court upon the North Carolina Department of Public Safety’s (“NCDPS”) Sealed Notice informing the Court that it has been unable to procure a waiver of service of process for Defendant Samantha Horne in accordance with the Court’s April 26, 2018 Order (Doc. No. 35). (Doc. No. 44.) NCDPS has provided the last known address for Defendant Horne under seal. (Doc. No. 44.)


The Clerk of Court is directed to notify the United States Marshal to serve Defendant Horne with the summons and Complaint in accordance with Rule 4 of the Federal Rules of Civil Procedure. If Defendant Horne cannot be served at the address provided by NCDPS, the U.S. Marshal shall be responsible for locating her home address so that she may be served. See 28 U.S.C. § 1915(d) (in actions brought in forma pauperis under § 1915(d), “[t]he officers of the court shall issue and serve all process, and perform all duties in such cases”); Fed. R. Civ. P. 4(c)(3) (“At the plaintiff’s request, the court may order that service be made by a United States Marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915”). If the U.S. Marshal is unable to obtain personal service on Defendant Horne, the U.S. Marshal shall

inform the Court of the reasonable attempts to obtain service. The U.S. Marshal shall not disclose Defendant's home addresses to the pro se incarcerated Plaintiff and shall file any document containing such address under seal.

IT IS THEREFORE ORDERED that:

1. The Clerk is respectfully instructed to provide a copy of the Complaint (Doc. No. 1), the Sealed Notice containing Defendant Horne's last known home address (Doc. No. 44), and this Order to the U.S. Marshal; and
2. The U.S. Marshal shall use all reasonable efforts to locate and obtain personal service on Defendant Horne at Defendant's home address. If unable to obtain personal service on Defendant Horne, the U.S. Marshal shall inform the Court of the reasonable attempts to obtain such service.

Signed: August 17,



Frank D. Whitney
Chief United States District Judge

