

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

PAMELA T. KOCHHEL,

Plaintiff,

-vs-

TARGET NATIONAL BANK, et al.,

Defendants.

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Case No. 3:10-cv-384

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District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

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**ORDER**

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This case is before the Court on Plaintiff's Motion to Appoint Pro Bono Counsel to assist her in this case (Doc. No. 6). The Court is without authority to appoint counsel to serve pro bono. *Mallard v. United States District Court*, 490 U.S. 296, 309 (1989). Because this is a commercial case, Plaintiff may wish to contact the Volunteer Lawyers Project at the Dayton Bar Association directly for possible assistance.

Plaintiff has now filed with the Court the Certificate of Delivery which she was previously ordered to file. At the conclusion of that Certificate, she states "I need to ask you what to do next." A judge is not permitted to give legal advice to a party in a case before him or her; to do so would violate the Code of Judicial Conduct which requires that judges remain strictly neutral between the parties to a case. However, the Court believes it is proper to point out to Plaintiff that she must obtain service of process on the Defendants. Process (Summons) was issued by the Clerk on October 21, 2010 (Doc. No. 4), but the docket does not show that it has yet been served on either of the Defendants. Because Plaintiff has been granted leave to proceed *in forma pauperis*, she has the right to have service made by the United States Marshal and the Clerk sent her forms to accomplish that on October 19, 2010.

Under Fed. R. Civ. P. 4(m), service of process must be accomplished within 120 days of filing the Complaint, or not later than February 15, 2011.

December 1, 2010.

s/ **Michael R. Merz**  
United States Magistrate Judge