UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

G. MICHAEL STRAUSS,

Plaintiff,

v.

DONNA HAMILTON *et al*.,

Defendants.

Case No. C05-5772FDB

ORDER

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Plaintiff is not proceeding *in forma pauperis* and he has paid the full filing fee. (Dkt. # 5).

When plaintiff filed his application to proceed *in forma pauperis* he requested the United States Marshals Service be ordered to serve his complaint. (Dkt. # 1). In February when plaintiff responded to an order to show regarding his application for *in forma pauperis* status he again included a request that the court order service be done for him. (Dkt. # 4). In March plaintiff sent the court a letter asking for a ruling on his requests. (Dkt. # 8). In the future plaintiff will limit his documents to one issue. A motion for court action should be clearly titled as a motion.

The court routinely serves complaints for persons proceeding *in forma pauperis* and as plaintiff notes the statute allows for orders of this nature. Plaintiff is not proceeding *in forma*

*pauperis*. He argues his current restraint creates a hardship on his ability to perfect service. The hardship plaintiff complains of is one shared by all incarcerated or detained persons, but the statute allowing the court to order service does not include this category as requiring service be performed by the government. Plaintiff's motion is **DENIED.**

In his letter to the court plaintiff also requests return of his copies of the complaint and he request summons be issued so he can perfect service. **The clerks office is directed to return any copies of the complaint in the court's possession and issue summons to the plaintiff for each named defendant**. Plaintiff would have less then one month to perfect service and the court on its own motion extends the deadline for perfection of service until **May 5th, 2006**.

As a final matter plaintiff complains that his case has been classified as a "550 prisoner Civil Rights Action." (Dkt. # 8). The court is aware that plaintiff is not a prisoner, however this recording category is used for a number of different suits, not all of which involve prisoners. Plaintiff's demand that the action be re-designated is **DENIED**

The clerk is directed to send copies of this Order to plaintiff.

DATED this 23rd day of March, 2006.

Karen L. Strombom
United States Magistrate Judge