

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LULA WILLIAMS,

Plaintiff,

V.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration,¹

Defendant.

CASE NO. C16-6042RSL

ORDER TO PROVIDE PROOF OF
SERVICE OR TO SHOW CAUSE
WHY THIS MATTER SHOULD NOT
BE DISMISSED

THIS MATTER is before the Court on its own Motion. Because there is no evidence in the record that this case has been properly served, the Court hereby orders plaintiff to provide proof of service or show cause by April 25, 2017, why this matter should not be dismissed for lack of prosecution.

Fed. R. Civ. P. 4(m) requires a defendant to be served within 90 days after a complaint is filed. Fed. R. Civ. P. 4(l) requires proof of service to be filed or made to the court. At this time,

¹ Nancy A. Berryhill is now the Acting Commissioner of the Social Security Administration. Pursuant to Federal Rule of Civil Procedure 25(d), Nancy A. Berryhill is substituted for Carolyn W. Colvin as defendant in this suit. The Clerk is directed to update the docket, and all future filings by the parties should reflect this change.

1 although the complaint in this matter was filed on December 23, 2016, the record does not show
2 that the complaint has been properly served. See Dkt. 3.

3 Fed. R. Civ. P. 4(i) governs service with respect to complaints against the United States
4 and against United States agencies, officers and employees. See Fed. R. Civ. P. 4(i); see also
5 Villegas v. Astrue, No. 12-cv-1585, U.S. Dist. LEXIS 55223 at *1-*2 (C.D. Cal. April 18, 2012)
6 (unpublished opinion) (citing Fed. R. Civ. P. 41(b)). The Court notes that regarding social
7 security complaints, Rule 4(i) requires plaintiff to serve a summons and copy of complaint on the
8 following entities: (a) the United States attorney for the district in which the action is brought or
9 to an assistant United States attorney or clerical employee designated by the United States
10 attorney in writing filed with the clerk of court or the civil process clerk at the office of the
11 United States attorney; (b) the Attorney General of the United States at Washington, District of
12 Columbia; and (c) the officer or agency. Plaintiff may effectuate service electronically as
13 detailed in General Orders 04-15 and 05-15, by sending a copy of the summonses and complaint,
14 along with plaintiff's identifying information, by email to USAWAW.SSAClerk@usdoj.gov.

15 Fed. R. Civ. P. 4(m) requires the court to provide notice to plaintiff before the matter may
16 be dismissed for lack of prosecution.

17 Plaintiff is ordered to provide proof of service or show cause why this matter should not
18 be dismissed for lack of prosecution by April 25, 2017. Failure to provide proof of service or
19 show cause shall result in dismissal of this action.

20 Dated this 18th day of April, 2017.

21
22 
23 ROBERT S. LASNIK
24 United States District Judge