

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SUSAN ANN SANDS WEDEWARD,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security¹,

Defendant.

ORDER

12-cv-491-bbc

This is a civil action for monetary relief in which plaintiff Susan Sands Wedeward, who is proceeding pro se, alleges that the Social Security Administration violated her rights. Plaintiff has paid the \$350 fee for filing this case.

The next step is for plaintiff to serve her complaint on the defendant. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve a defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving her case to resolution. If plaintiff acts promptly, she should be able to serve her complaint on the defendant before the deadline for doing so established in Rule 4.

Plaintiff is challenging an order of an officer of the United States. Therefore, under Fed. R. Civ. P. 4(i)(2)(A), plaintiff must take all three of these steps:

1. Serve the United States in the manner prescribed by Rule 4(i)(1). To do that, she must deliver a copy of the summons and complaint to John W. Vaudreuil, the United States Attorney for the Western District of Wisconsin. Alternatively, she can send a copy of the summons and of the complaint by registered or certified mail addressed to the civil process clerk of the office of the United States Attorney, P.O. Box 1585, Madison, WI 53701-1585.
2. Send a copy of the summons and of the complaint by registered or certified mail to

¹ The court has substituted the current Commissioner of Social Security, Michael J. Astrue, in place of Jo Anne B. Barnhart.

the Attorney General of the United States at the Department of Justice in Washington, District of Columbia, 20530; AND

3. Send of a copy of the summons and complaint by registered or certified mail to the Commissioner of Social Security, Michael J. Astrue, 6401 Security Blvd., Baltimore, MD, 21235.

I am enclosing with this order three copies of her complaint and the forms she will need to send to the defendant in accordance with the procedure set out above.

As was previously explained to plaintiff, for the remainder of this lawsuit, plaintiff must send defendant a copy of every paper or document that she files with the court. Once she learns the name of the lawyer who will be representing the defendant, she should serve the lawyer directly rather than the defendant. Plaintiff should keep a copy of all documents for her own files. If she is unable to use a photocopy machine, she may send out identical handwritten or typed copies of documents.

ORDER

IT IS ORDERED that plaintiff Susan Sands Wedeward serve her complaint on the defendant promptly and file proof of service as soon as service is accomplished. By September 14, 2012, plaintiff is to file proof of service of her complaint on the defendant or tell the court why she cannot do so. If she does not file the proof of service or explain why she could not serve the defendant, I will order her to explain why this case should not be dismissed for lack of prosecution.

Entered this 11th day of July, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge