

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

LIRIA S. RODRIGUEZ and CHRIS
BUILDING,

Plaintiffs,

v.

Case No: 6:18-cv-1840-Orl-41TBS

ATTORNEY GENERAL OF THE UNITED
STATES, SECRETARY, UNITED
STATES DEPARTMENT OF
HOMELAND SECURITY, DISTRICT
DIRECTOR SOUTHEAST REGION,
UNITED STATES CITIZENSHIP &
IMMIGRATION SERVICES,
JACKSONVILLE FIELD DIRECTOR, U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES and DIRECTOR, FEDERAL
BUREAU OF INVESTIGATION,

Defendants.

ORDER

Plaintiff seeks the entry of Clerk's defaults against Defendants Jefferson Sessions, sued in his official capacity as Attorney General of the United States; Kirstjen Nielsen, sued in her official capacity as Secretary of the Department of Homeland Security; Kathy Bananowski, sued in her official capacity as District Director, Southeast Region of the United States Citizenship and Immigration Services; Lisa Bradley, sued in her official capacity as Jacksonville Field Director of the United States Citizenship and Immigration Services; and Christopher Wray, sued in his official capacity as Director of the Federal Bureau of Investigation (Doc. 14).

Service of process on United States agencies, officers and employees sued in their official capacities is accomplished by serving the United States and also sending a

copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee. FED. R. CIV. P. 4(i)(2). To serve the United States, a party must:

(A)(i) deliver a copy of the summons and of the complaint to the United States attorney for the district where the action is brought--or to an assistant United States attorney or clerical employee whom the United States attorney designates in a writing filed with the court clerk--or

(ii) send a copy of each by registered or certified mail to the civil-process clerk at the United States attorney's office;

(B) send a copy of each by registered or certified mail to the Attorney General of the United States at Washington, D.C.; and

(C) if the action challenges an order of a nonparty agency or officer of the United States, send a copy of each by registered or certified mail to the agency or officer.

FED. R. CIV. P. 4(i)(1).

Plaintiff has failed to show that any Defendant in this case has been served in the manner specified in Rule 4. Accordingly, Plaintiff's Motion for Clerk Default (Doc. 14) is **DENIED**.

This case was filed on October 29, 2018 (Doc. 1). It does not appear that any Defendant has been served within 90 days as required by FED. R. CIV. P. 4(m). Now, Plaintiffs are ordered to show cause in writing within 14 days why this case should not be dismissed for failing to serve Defendants within the time permitted by Rule 4.

DONE and ORDERED in Orlando, Florida on March 29, 2019.


THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties