

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**MACRO ELECTRONICS CORP.
and STEVEN P. APELMAN,**

Plaintiffs,

v.

Case No. 8:22-mc-18-CEH-AAS

**BIOTECH RESTORATIONS, LLC and
CHRISTOPHER YOUNG,**

Defendant.

_____ /

ORDER

Under Federal Rule of Civil Procedure 4.1, Plaintiffs Macro Electronics and Steven P. Apelman request the court appoint Michelle Lewandowski to serve the court-ordered writ in this matter upon the garnishee. (Doc. 29).

Federal law governs who may serve a writ of garnishment. See Fed. R. Civ. P. 69(a)(1) (“The procedure . . . in proceedings supplementary to and in aid of judgment . . . must accord with the procedure of the state where the court is located but a federal statute governs to the extent it applies.”). The Federal Rules have the “force and effect” of a federal statute. *See Sibbach v. Wilson & Co.*, 312 U.S. 1, 13 (1941) (stating a federal rule established within the power delegated to the Supreme Court “has the force of a federal statute”). In turn, the Federal Rules permit the appointment of a special

process server to deliver a writ of garnishment like the one at issue here. *See* Fed. R. Civ. P. 4.1 (“Process-other than a summons under Rule 4 or a subpoena under Rule 45-must be served by a United States marshal or deputy marshal or by a person specially appointed for that purpose.”); *see also* *Sumner v. Garner*, No. 6:18-CV-40-ORL-28GJK, 2019 WL 6716193, at *1 (M.D. Fla. Dec. 9, 2019); *Francois v. Washmonbo, Inc.*, No. 05-23368-CIV, 2008 WL 2694752, at *2 (S.D. Fla. July 8, 2008).

Thus, Plaintiffs’ motion for appointment of process server (Doc. 29) is **GRANTED**. Michelle Lewandowski is authorized to serve the writ of garnishment on the garnishee in this matter.

ORDERED in Tampa, Florida on November 21, 2024.



AMANDA ARNOLD SANSONE
United States Magistrate Judge