

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ORLY TAITZ

*

Plaintiff

*

v

*

Civil Action No. ELH-13-1878

CAROLYN COLVIN, Commissioner of the
Social Security Administration

*

Defendant

*

ORDER

On June 25, 2013, the above-captioned complaint was filed with the full filing fee. Plaintiff¹ bears the responsibility for effecting service of process on defendant.

Plaintiff may effectuate service by presenting summons to the Clerk for signature and seal and then serving a copy of the summons and complaint on defendant. Pursuant to Fed. R. Civ. P. 4(c)(2), service of a summons and complaint may be effectuated by any person who is not a party and who is at least 18 years of age. Plaintiff is reminded that under Fed. R. Civ. P. 4(l), the person effecting service of the summons and complaint must promptly notify the court, through an affidavit, that he or she has served defendant.²

If there is no record in the court file that service was effectuated on defendant, plaintiff risks dismissal of the case. Pursuant to Fed. R. Civ. P. 4(m) and Local Rule 103.8.a (D. Md. 2011), if a party demanding affirmative relief has not effectuated service of process within 120

¹ The complaint was initially filed on behalf of Defendant Our Freedoms Foundation by its president Dr. Orly Taitz, Esq. On July 8, 2013, Dr. Taitz filed an amended complaint in which she is the sole plaintiff.

² Under Fed. R. Civ. P. 4(i), plaintiff must effectuate service on a federal agency by serving the summons and complaint by registered or certified mail on the agency, the United States Attorney General, and the United States Attorney for the District of Maryland.

days of filing the complaint, the court may enter an order asking the party to show cause why the claims should not be dismissed. If the party fails to show cause within fourteen (14) days of the entry of the order or such other time as may be set by the court, the complaint shall be dismissed, without prejudice.

Accordingly, it is this 9th day of July, 2013, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. The Clerk SHALL substitute Orly Taitz as plaintiff in lieu of Defend Our Freedoms Foundation;
2. The Clerk shall TAKE ALL NECESSARY STEPS to prepare and issue summons and to return summons to plaintiff. If service copies of the complaint were provided, the Clerk SHALL RETURN them to the plaintiff; and
3. The Clerk SHALL SEND a copy of this Order to plaintiff.

/s/
Ellen Lipton Hollander
United States District Judge