

**NOTICE REGARDING SERVICE OF SUMMONS AND COMPLAINT**  
With Attached Request for U.S. Marshal Service

*Check the Western District's web site at [www.nywd.uscourts.gov](http://www.nywd.uscourts.gov) for copies of many of the Court's forms and other useful information.*

Because you paid the filing fee, it is your responsibility to arrange for service of the summons and complaint upon the defendant(s). You can locate professional process servers listed under **Process Servers** in the yellow pages of your phone book. You may also seek permission from the Court to have the United States Marshals Service serve the summons and complaint upon the defendant(s). An application to request the U.S. Marshals Service is attached. Please note that service by the U.S. Marshals Service is not mandatory. See Fed.R.Civ.P. 4(c)(3).

You should carefully review Rule 4 of the Federal Rules of Civil Procedure, which governs service of process in civil actions.

It is your responsibility to pay the fee to the U. S. Marshal before they serve the complaint. **This fee is \$8.00 per summons and complaint** and must be paid by money order or certified check because the U.S. Marshal will not accept cash or personal checks for service. You must also provide the U.S. Marshals with all necessary papers for service, including completed Marshals Forms, copies of which are also enclosed.

Please be aware that while the U.S. Marshals will make every effort to serve your complaint in a speedy fashion, they are extremely busy and may not get to it until near the end of the time for service. It is thus your obligation to be aware of the deadlines, and if service has not been accomplished yet and time is nearing an end, you may wish to contact the U.S. Marshal's office at (716) 348-5300 to inquire about the status of your case.

The U.S. Marshal's office which handles the service of complaints may be reached by mail or telephone as follows:

U.S. Marshal's Office  
2 Niagara Square  
Buffalo, New York 14202  
(716) 348-5300

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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\_\_\_\_\_ ,

Plaintiff,

-v-

\_\_\_\_\_ -CV- \_\_\_\_\_

\_\_\_\_\_ ,

Defendant.

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**Application For Order Directing Service by U.S. Marshal**

I \_\_\_\_\_, plaintiff in the above entitled action, hereby request an order of the court directing the U.S. Marshals Service for the Western District of New York, pursuant to Fed.R.Civ.P. 4(c)(3), to serve the summons and complaint in this action. I am requesting such an order because **[state reason(s) why assistance of Marshals Service is necessary to serve your summons and summons and complaint]:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Signature of Plaintiff

Date: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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\_\_\_\_\_,'

Plaintiff,

-v-

\_\_\_\_\_-CV-\_\_\_\_\_

\_\_\_\_\_,'

Defendant.

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**ORDER**

**Upon receipt of a copy of this order, plaintiff is required to submit the certified copy, marshal forms, summons and complaint to the U.S. Marshal for service upon named defendants.**

Pursuant to Fed.R.Civ.P. 4(c)(2), the U.S. Marshal is hereby directed to collect their fee, and serve the Summons and Complaint upon the named defendants.

SO ORDERED.

\_\_\_\_\_  
United States District Judge

Dated: \_\_\_\_\_