

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

If you wish to make arrangements with the United States Marshal to have the Marshals serve your complaint for a fee, you must obtain an order from the judge assigned to your case directing the U.S. Marshal to serve your summons and complaint. Enclosed is a form you may use to request such an order. (Forms are also available on the Western District web site.) You must complete the caption on both pages of the form and sign the form where indicated.

If your request is granted and the order is issued, a certified copy of the order will be returned to you. It is then 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) 263-5787 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:

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Plaintiff,

-v-

_____-CV-_____

Defendant.

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. Marshal for the Western District of New York, pursuant to Fed.R.Civ.P. 4(c)(2), to serve the summons and complaint in this action.

Signature of Plaintiff

Date: _____