

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

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|--|-----|------------------------------|
| BRIAN CHARLES VAETH, | * | |
| | * | |
| Plaintiff, | * | |
| | * | |
| v | * | Civil Action No. RDB-17-2400 |
| | * | |
| MAYOR & CITY COUNCIL OF | * | |
| BALTIMORE, | * | |
| CATHERINE PUGH, <i>in her individual</i> | * | |
| <i>capacity,</i> | * | |
| THE STATE OF MARYLAND, | * | |
| LARRY HOGAN, in his individual | * | |
| <i>capacity,</i> | * | |
| | * | |
| Defendants. | * | |
| | *** | |

ORDER

Self-represented Plaintiff Brian Charles Vaeth filed the above-captioned Complaint together with a Motion for Leave to Proceed in Forma Pauperis, which shall be granted.

In light of Plaintiff's indigence, the United States Marshal shall effect service of process on Defendant. *See* Fed. R. Civ. P. 4(c)(3). However, it does not appear that Plaintiff has furnished a U.S. Marshal service of process form for the named Defendants in this case. Until Plaintiff cures this problem, service shall not be issued. The Clerk shall be directed to mail one copy of the Marshal form for each Defendant to Plaintiff, who must complete and return the forms to the Clerk within twenty-one (21) days from the date of this Order. Failure to comply with this Order may result in dismissal without prejudice of Plaintiff's Complaint. Once the forms are received, the Clerk and the U.S. Marshal are directed to take all necessary steps to effectuate service of process.

Under Fed. R. Civ. P. 4(j), service upon a state, municipal corporation or other state-created governmental organization subject to suit shall be effected by delivering a copy of the

summons and complaint to its chief executive officer; or by serving the summons and complaint in the manner prescribed by the law of the state for the service of summons or other like process upon any such Defendant. Maryland Rule 2-121(a) governs service of process on individuals; Maryland Rule 2-124(l) governs service on an officer or agency of a local government; Maryland Rule 2-124(j) governs service of process on the State of Maryland; and Maryland Rule 2-124(k) governs service of process on an officer or agency of the State of Maryland. Both LexisNexis and Westlaw provide free public access to the Maryland Rules.

Accordingly, it is this 29th day of August, 2017, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. The Motion for Leave to Proceed In Forma Pauperis (ECF No. 2) IS GRANTED;
2. The Clerk SHALL MAIL a copy of this Order, together with four copies of the U.S. Marshal service of process form, to Plaintiff;
3. Plaintiff IS GRANTED TWENTY-ONE (21) days from the date of this Order to complete the Marshal forms and return them to the Clerk and to provide service copies of the Complaint as set forth herein. Plaintiff is cautioned that the failure to return the completed U.S. Marshal forms in a timely manner may result in the dismissal of this case without prejudice and without further notice from this Court;
4. Upon receipt of the U.S. Marshal form, the Clerk SHALL ISSUE Summons and forward same together with the Complaint, the U.S. Marshal forms, and a COPY OF THIS ORDER to the U.S. Marshal; and
5. The U.S. Marshal IS DIRECTED to effectuate service of process on Defendants at the addresses provided by Plaintiff. If the U.S. Marshal uses U.S. Postal

Service delivery to effect service on Defendants, it shall do so by RESTRICTED
DELIVERY, CERTIFIED MAIL.

/s/
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE