

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAN HAWK,
4230 E. Towne Blvd. #291
Madison, WI 53704-3704

Plaintiff,

v.

THOMAS BELLAVIA, AAG, WIDOJ
Wisconsin Commissioner of Insurance
Wisconsin Department of Financial Institutions
P.O. Box 7857
Madison, WI 53707-7857
Case No. 02-C28156
Case No. 03-TC-332
Case No. 2003CV001487
Case No. S-03038(EX),

WINN COLLINS, ADA
Outagamie County Justice Center
Appleton, WI 54911
Case No. 03-CF-583,

Defendants.

ORDER

03-C-686-C

In an order dated December 12, 2003, I denied plaintiff Dan Hawk leave to proceed in forma pauperis because he did not qualify financially for indigent status. Now plaintiff

has paid the filing fee.

The next step is for plaintiff to serve defendants with an identical copy of the complaint and exhibits he filed with this court. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendants. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendants well before the deadline for doing so established in Rule 4.

To help plaintiff understand the procedure for serving a complaint on a state and county officials, I am enclosing with this memorandum a copy of a document titled "Procedure for Serving a Complaint on State or County Officials in a Federal Lawsuit." In addition, I am enclosing to plaintiff the forms he will need to send to the defendants in accordance with the procedures set out in Option 1 of the memorandum.

ORDER

IT IS ORDERED that plaintiff promptly serve his complaint and exhibits on the defendants and file proof of service with the court as soon as he completes service of process. If, by March 1, 2004, plaintiff cannot file proof of service with the court, he is to advise the court in writing of the steps he has taken to accomplish service and the approximate time

within which he expects service to be complete.

Entered this 22nd day of December, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge