

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

STACEY MILLER,

Plaintiff,

v.

BRIAN BLANCHARD, JAC HEITZ,
TIM HAMMOND,

Defendants.

ORDER

04-C-255-C

In an order dated June 14, 2004, I screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A and allowed him to proceed on his claim that defendants Blanchard, Heitz and Hammond violated his right to equal protection under the Fourteenth Amendment when they backed out of an agreement to reduce his sentence because of his race. I told plaintiff that because he was not proceeding in forma pauperis, it was his responsibility to serve the defendants with his complaint. To assist plaintiff in that effort, the court included with the June 14 order a memorandum describing the procedure to be followed in serving a complaint on state officials and three copies of plaintiff's complaint and blank waiver of service of summons forms. The order failed to direct plaintiff to file proof of service of his complaint on the defendants as soon as he had it. To date, plaintiff has not filed with the

court copies of signed waiver of service of summons forms, which would constitute proof of service of his complaint on the defendants.

ORDER

IT IS ORDERED that no later than August 6, 2004, plaintiff file proof of service of his complaint on the defendants with the court. If plaintiff has been unsuccessful in obtaining signed waiver forms from the defendants, he will have to make arrangements promptly to request summons forms from the clerk of court so that he can arrange for personal service of the complaint on each defendant. If, by August 6, 2004, plaintiff fails to file proof of service of his complaint or a written explanation of the status of his efforts to do so, then plaintiff's case may be subject to dismissal for his failure to prosecute.

Entered this 26th day of July, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge