

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

MARIO YOUNG,
Petitioner,

ORDER

04-C-585-C

v.

JOSEPH SCIBANA, Warden,

Respondent.

In an order entered in this case on September 1, 2004, I gave respondent until September 10, 2004, in which to respond to petitioner's petition. Because the deadline for responding to the petition was accelerated to insure that the petition could be decided expeditiously, I provided the United States Attorney for this district with a courtesy copy of petitioner's petition. However, I told petitioner that it was his responsibility to serve the respondent formally with his petition pursuant to Fed. R. Civ. P. 4(l), and to submit proof of service to the court as promptly as possible. I told petitioner that a copy of the postmarked certified mail receipt for each of the individuals to whom the petition was sent would constitute proof of service.

Now respondent has filed a response to petitioner's petition, but petitioner has not yet submitted proof that he served his petition on the respondent as Rule 4(l) requires.

Until such proof is filed, I do not intend to rule on the petition.

ORDER

IT IS ORDERED that petitioner is to file proof of service of his petition on the respondent promptly. As soon as the record reflects that proper service has occurred, I will take the petition under advisement.

Entered this 14th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge