

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

LIEN LE POLIZZI,

Plaintiff,

v.

U.S. DEPT. OF HOMELAND
SECURITY U.S. CITIZENSHIP
AND IMMIGRATION SERVICES,
Milwaukee, WI,

Defendant.

ORDER

06-C-038-C

Plaintiff Lien Le Polizzi has filed a petition pursuant to 8 U.S.C. § 1421(c) for review of an October 5, 2005 decision of the District Director of the United States Department of Homeland Security to deny her application for naturalization. She has paid the fee for filing her petition and is proceeding without counsel,

The next step is for plaintiff to serve her complaint on the defendant. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving her case to resolution. If plaintiff acts promptly, she should be able to serve her complaint on the defendant well before the deadline for doing

so established in Rule 4.

To help plaintiff understand the procedure for serving a complaint on a federal agency, I am enclosing with this memorandum a copy of Rule 4(i) of the Federal Rules of Civil Procedure. In addition, I am enclosing to plaintiff extra copies of her complaint and the summons forms she will need to send to the defendant agency, the United States Attorney for the Western District of Wisconsin and the Attorney General of the United States in Washington, D.C., in accordance with the procedures set out in the Rule.

ORDER

IT IS ORDERED that plaintiff is to promptly serve her complaint on the defendant United States Department of Homeland Security and file proof of service of her complaint as soon as service has been accomplished. If, by March 6, 2006, plaintiff fails to submit proof of service of her complaint on the defendant United States Department of Homeland Security, the United States Attorney for this district and the Attorney General of the United States or explain her inability to do so, I will direct plaintiff to show cause why her case

should not be dismissed for lack of prosecution.

Entered this 30th day of January, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge