

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHRISTINA CLEMENT,	:	
	:	
Plaintiff,	:	Civil Action No.: 24-479 (RC)
	:	
v.	:	
	:	
MERRICK GARLAND,	:	Re Document Nos.: 3, 5, 8, 12, 14,
Attorney General of the United States,	:	25, 38, 42, 46,
	:	51
Defendant.	:	

ORDER

Plaintiff filed this suit on February 13, 2024, against Attorney General Merrick Garland. Before effecting service on Defendant, Plaintiff filed a motion to amend her complaint to add Chief Justice John Roberts, the Secretary General of the United Nations, Registrar-Peace Palace Carnegie Pleinz, and “others,” as defendants in this case. *See* Mot. Amend Compl., ECF No. 8. Attached to her amended complaint, Plaintiff included summons forms for Chief Justice Roberts, the Secretary General of the United Nations, and Registrar-Peace Palace Carnegie Pleinz. *See* Summons Forms, ECF Nos. 83-2, 83-3, 83-4. Under Federal Rule of Civil Procedure 15(a)(1), Plaintiff is not required to file a motion to amend her complaint because Defendant has not yet responded in this case. *See* Fed. R. Civ. P. 15(a)(1). The Clerk shall therefore file Plaintiff’s amended complaint on the docket.

The Court further observes that Plaintiff has not effected service on the Attorney General. Plaintiff requested that the Clerk issue a summons with respect to the Attorney General on May 10, 2024 (ECF No. 6), and the Clerk issued a summons that same day (ECF No. 7). To effect service, a “summons must be served with a copy of the complaint” on the defendant and it is the

plaintiff's responsibility to have "the summons and complaint served within the time allowed" by Federal Rule of Civil Procedure 4(m). Fed. R. Civ. P. 4(c)(1).

While Plaintiff indicates that she sent a summons and the complaint to the Attorney General—as well as other individuals—by United States Postal Service certified mail, *see* Affidavit of Mailing, ECF No. 4; Affidavit of Mailing, ECF No. 40, the Federal Rules of Civil Procedure specify that to serve a United States officer or employee, a party *must serve the United States as well as that individual*, Fed. R. Civ. P. 4(i)(2). To serve the United States, the plaintiff may "deliver a copy of the summons and of the complaint to the United States attorney for the district where the action is brought—or to an assistant United States attorney or clerical employee whom the United States attorney designates in a writing filed with the court clerk" or "send a copy of each by registered or certified mail to the civil-process clerk at the United States attorney's office." Fed. R. Civ. P. 4(i)(1). The relevant United States attorney in this case is the United States attorney for the District of Columbia.

Plaintiff has not shown that she served the summons and complaint on the United States attorney for this district. Moreover, while Plaintiff stated that she "mailed a copy of the summons and complaint" to Attorney General Garland on April 30, 2024, *see* Affidavit of Mailing, ECF No. 4, at 1, that statement cannot be correct because the Clerk did not issue a summons for the Attorney General until May 10, 2024, *see* Summons, ECF No. 7. It appears that Plaintiff sent additional documents to the Attorney General—as well as other individuals—on July 15, 2024, but it is unclear what documents she sent. *See* Affidavit of Mailing, ECF No. 40 (photograph of certified mail receipts).

To proceed with this suit, Plaintiff must obtain summonses from the Clerk and properly serve those summonses on defendants along with her complaint. *See* Fed. R. Civ. P. 4(i)(2)

(explaining how to effect service on an employee of the United States served in an official capacity); Fed. R. Civ. P. 4(j) (explaining how to effect service on foreign governments and their instrumentalities). The mailing address for serving the U.S. attorney for the District of Columbia by certified mail is: Civil Process Clerk, U.S. Attorney's Office for D.C., 601 D Street, NW, Washington, DC 20530. The U.S. Attorney's Office for the District of Columbia has also noted that it accepts e-mail service provided the serving party strictly complies with the Office's instructions for e-mail service. *See* Service of Process in Civil Actions, United States Attorney's Office District of Columbia, <https://www.justice.gov/usao-dc/civil-division#:~:text=Hand%20Delivery%20or%20Email%20Service,room%20at%20the%20Department%20of> (April 25, 2022). To serve a foreign government instrumentality, Plaintiff must comply with Federal Rule of Civil Procedure 4(j), which states that a foreign state or its political subdivision, agency, or instrumentality must be served in accordance with the requirement set forth in 28 U.S.C. §1608.

Because Plaintiff has not served Defendants, it is hereby **ORDERED** that Plaintiff's Motion for Default Judgment, ECF No. 5, Plaintiff's Motion for Entry of Default, ECF No. 12, Plaintiff's Motion for Summary Judgment, ECF No. 14, Plaintiff's Motion for Entry of Final Judgment, ECF No. 25, Plaintiff's Motion to Validate Affidavit of Service, ECF No. 38, Plaintiff's Motion for Additional Service, ECF No. 42, Plaintiff's Motion for Bill of Costs, ECF No. 46, and Plaintiff's Motion to Expedite, ECF No. 51 are **DENIED**. It is **FURTHER ORDERED** that Plaintiff's motion opposing Defendants' motion for extension of time, ECF No.

3, is **DENIED** because Defendants have not been served, have not yet entered an appearance, and have not filed a motion for extension of time.

SO ORDERED.

Dated: August 9, 2024

RUDOLPH CONTRERAS
United States District Judge