

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

CHRISTINA CLEMENT,	:	
	:	
Plaintiff,	:	Civil Action No.: 24-479 (RC)
	:	
v.	:	
	:	
MERRICK GARLAND,	:	Re Document Nos.: 60, 61, 62, 65, 66,
Attorney General of the United States,	:	67, 69, 73
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. 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). As such, in its August 9, 2024 Order, the Court ordered the Clerk to file Plaintiff’s amended complaint on the docket. *See* ECF No. 56.

Additionally, in its August 9, 2024 Order, the Court denied 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), Plaintiff’s Motion to Expedite (ECF No. 51), and Plaintiff’s motion opposing Defendants’ motion for extension of time (ECF No. 3). *Id.* These motions were denied because Plaintiff had not served

Defendants pursuant to Federal Rule of Civil Procedure 4(m). Fed. R. Civ. P. 4(c)(1). The Order also detailed specific instructions for how to properly serve Defendants, including how Plaintiff should serve the Attorney General as required by Federal Rule of Civil Procedure 4.

The Court still observes that Plaintiff has not effected service on Defendants. 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). Plaintiff also requested that the Clerk issue a summons with respect to the Secretary General of the United Nations on August 15, 2024 (ECF No. 59), and the Clerk re-issued a summons on August 19, 2024 (ECF No. 60).¹ 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 defendants—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

¹ Prior to Plaintiff requesting that the Clerk issue a summons with respect to the Secretary General of the United Nations on August 15, 2024 (ECF No. 59), the Clerk had already issued a summons on August 12, 2024 (ECF No. 58).

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 still not shown that she served the summons and complaint on any of the defendants. 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 defendants—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 show cause for failure to serve Defendants pursuant to Federal Rule of Civil Procedure 4(m) on or before **October 18, 2024** to explain why the Court should not dismiss this action. "If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." Fed. R. Civ. P. 4(m).

Because Plaintiff has still not served Defendants, it is hereby **ORDERED** that Plaintiff's Motion to Take Judicial Notice, Motion for Settlement, and Motion for Publication (ECF No. 60), Plaintiff's Motion for Default Judgment (ECF No. 62), Plaintiff's Motion for Bond (ECF No. 61; ECF No. 65), Plaintiff's Motion to Enforce Judgment (ECF No. 66), Plaintiff's Motion for Bill of Costs (ECF No. 67), Plaintiff's Motion for Emergency Relief to Stay (ECF No. 69), and Plaintiff's Motion for Entry of Default (ECF No. 73) are **DENIED**. It is **FURTHER**

ORDERED that Plaintiff show cause for failure to serve Defendants pursuant to Federal Rule of Civil Procedure 4(m) on or before **October 18, 2024** to explain why the Court should not dismiss this action.

SO ORDERED.

Dated: September 18, 2024

RUDOLPH CONTRERAS
United States District Judge