

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT **Jun 26, 2018**  
EASTERN DISTRICT OF WASHINGTON  
SEAN F. McAVOY, CLERK

JOHN SCHLABACH,

No. 2:18-CV-00053-SMJ

Plaintiff,

**ORDER DENYING MOTIONS  
FOR DEFAULT JUDGMENT**

v.

INTERNAL REVENUE SERVICE and  
its agents,

Defendant.

Before the Court, without oral argument, is Plaintiff John Schlabach's Motions for Default Judgment, ECF No. 4 & 5. Plaintiff filed a complaint against the Internal Revenue Service (IRS) on February 13, 2018. ECF No. 1. Plaintiff now moves for default judgment, ECF Nos. 4 & 5. He asserts that the IRS and the Attorney General were served with a copy of the summons and complaint on February 21, 2018, and that an answer to the complaint was due by April 13, 2018. ECF No. 5 at 1.

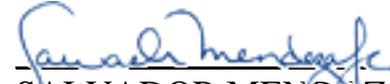
To properly serve the IRS in this case, Plaintiff was required to (1) deliver a copy of the summons and complaint to the United States attorney for the Eastern District of Washington or to the civil-process clerk at the United States attorney's office; (2) send a copy of the summons and complaint by registered mail to the

1 Attorney General of the United States; and (3) send a copy of the summons and  
2 complaint to the IRS by certified mail. Fed. R. Civ. P. 4(i).

3 It appears from Plaintiff's filings that he may have sent a copy of the  
4 summons and complaint to the Attorney General and the IRS, but there is no  
5 indication that he properly delivered or sent a copy of the summons and complaint  
6 to the United States Attorney's Office for the Eastern District of Washington.  
7 Accordingly, Plaintiff has failed to properly serve the IRS in compliance with Rule  
8 4(i). Plaintiff's Motions for Default Judgment, **ECF No. 4 & 5**, are therefore  
9 **DENIED.**

10 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
11 provide a copy to Plaintiff.

12 **DATED** this 26th day of June 2018.

13   
14 SALVADOR MENDEZ ZA, JR.  
15 United States District Judge