

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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 26, 2018

SEAN F. McAVOY, CLERK

JOHN SCHLABACH,

Plaintiff,

v.

INTERNAL REVENUE SERVICE and
its agents,

Defendant.

No. 2:18-CV-00053-SMJ

**ORDER DENYING MOTIONS
FOR DEFAULT JUDGMENT**

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.

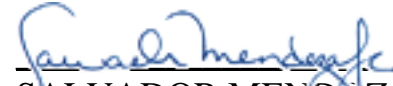
To properly serve the IRS in this case, Plaintiff was required to (1) deliver a copy of the summons and complaint to the United States attorney for the Eastern District of Washington or to the civil-process clerk at the United States attorney's office; (2) send a copy of the summons and complaint by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

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14 SALVADOR MENDOZA, JR.
15 United States District Judge
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