

Rule 4.1 Service of Actions Filed In Forma Pauperis

(a) **Service.** Where a plaintiff has been granted leave to proceed in form a pauperis, the U.S. Marshal shall be directed to serve the summons and complaint, pursuant to 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(c)(3), after the Court has first reviewed the complaint to determine whether sua sponte dismissal under section 1915(e)(2) is appropriate.

(b) **Waiver of Service.** The provision for waiver of service in Fed. R. Civ. P. 4(d) shall not apply in cases filed by plaintiffs proceeding in forma pauperis. In all such cases, the U.S. Marshal shall serve the summons and complaint upon the Court's direction to do so.

Last revised 10/6/08. See Historical Notes for full revision history.