



Vactor v. Urbana City Schools et al

2020 | Cited 0 times | S.D. Ohio | January 10, 2020

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT DAYTON ANDREW TYLER
VACTOR,

Plaintiff, vs. URBANA CITY SCHOOLS, et al.,

Defendants.

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Case No. 3:20-cv-6 District Judge Thomas M. Rose Magistrate Judge Sharon L. Ovington

ORDER

The Court previously granted Plaintiff's Motion for Leave to Proceed in forma pauperis. Consequently, his case is before the Court for an initial review under 28 U.S.C. § 1915.

Pursuant to § 1915, the Court may dismiss a complaint upon finding (1) the claims are frivolous or malicious; (2) it fails to state a claim upon which relief may be granted; or (3) it seeks monetary relief from a defendant who is immune from such relief. See 28 U.S.C. § 1915(e)(2)(B); see *Neitzke v. Williams*, 490 U.S. 319, 324 (1989). Having conducted this initial review, the Court finds that dismissal under 28 U.S.C. § 1915 is not warranted at this stage of the litigation.

However, Plaintiff did not file U.S. Marshal forms or a civil cover sheet with his motion. Accordingly, the Court DIRECTS the Clerk of Court to mail copies of all necessary forms to Plaintiff. Plaintiff shall return the completed forms to the Clerk of Court as soon as possible. Upon receipt of Plaintiff's completed forms, the Court DIRECTS the United States Marshal to serve a copy of the Complaint, summons, and

2 this Order upon the named Defendants as directed by Plaintiff. All costs of service shall be advanced by the United States.

Plaintiff must serve the named Defendants – or their attorney in the event an attorney's appearance is entered in the record – with a copy of every document submitted for consideration by the Court.



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Plaintiff shall include with the original paper to be filed with the Clerk of Court a certificate stating the date and verifying that Plaintiff mailed a true and correct copy of any document to Defendants or their attorney(s). Any paper received by a District Judge or Magistrate Judge that has not been filed with the Clerk of Court or that fails to include a certificate of service will be disregarded by the Court. Plaintiff must inform the Clerk of Court promptly of any changes of address which he has during the pendency of this lawsuit. Failure to do so may result in dismissal of his case for failure to prosecute.

IT IS SO ORDERED. January 10, 2020 s/Sharon L. Ovington Sharon L. Ovington United States Magistrate Judge

