UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

FILED BY D.C.
98 MAY 2 AM 10: 23
ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

Administrative Order No. 98-10

IN RE: ISSUANCE OF SERVICE IN NON-PRISONER PAID *PRO SE* COMPLAINTS

Consistent with the Sixth Circuit Court of Appeals' opinion in *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997), and its Administrative Order No. 97-01, it is

ORDERED that service not be issued upon the filing of a non-prisoner *pro se* complaint when a filing fee is paid, pending review of the complaint's merit under 28 U.S.C. § 1915(e)(2). Section 1915 (e)(2) provides that whether or not a filing fee is paid, the court shall dismiss a case at any time upon the court's determination that any of the § 1915(e)(2) provisions are met.

It is further,

ORDERED that upon the filing of a non-prisoner *pro se* complaint when the filing fee is paid, the Clerk's Office will promptly direct a copy of the complaint to the *Pro Se* Staff Attorneys' Office for priority screening, and will refrain from issuing summons to the plaintiff for service on the defendant(s) until instructed to do so by court order.

DONE AND ORDERED this 20th day of ~~April,~~ May 1998.

FOR THE COURT Julia Smith Gibbons

Julia Smith Gibbons
Chief United States District Judge