

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

SCOTT WYNN, an individual,

Plaintiff,

v.

Case No. 3:21-cv-514-MMH-JRK

THOMAS J. VILSACK, in his
official capacity as U.S. Secretary of
Agriculture and ZACH
DUCHENEAUX, in his official
capacity as Administrator, Farm
Service Agency,

Defendants.

ORDER

THIS CAUSE is before the Court sua sponte. Plaintiff initiated this action on May 18, 2021 by filing a complaint for injunctive and declaratory relief (Doc. 1; Complaint) contesting Section 1005 of the American Rescue Plan Act of 2021, which provides loan assistance to socially disadvantaged farmers. On May 25, 2021, Plaintiff filed a Motion for Preliminary Injunction (Doc. 11; Motion). Review of the docket reflects that Defendants have not appeared in this action and Plaintiff has not provided proof that service of process has been perfected. Additionally, Plaintiff's Motion contains a certificate of service stating that service of the Motion will be made via certified U.S. Mail. Id. at 11.

Thus, it is unclear whether Defendants have been notified of Plaintiff's Motion, as required under Federal Rule of Civil Procedure 65(a) and Local Rule 6.02(b), or when such notice will occur.

Accordingly, it is

ORDERED:

1. Plaintiff's Motion for Preliminary Injunction (Doc. 11) is **TAKEN UNDER ADVISEMENT**.
2. Plaintiff is **DIRECTED** to immediately serve Defendants with a summons (Docs. 9-10), the Complaint (Doc. 1), and the Motion for Preliminary Injunction (Doc. 11). Once service has been completed, Plaintiff must immediately notify the Court. At that time, the Court will set an appropriate briefing schedule.

DONE AND ORDERED in Jacksonville, Florida this 26th day of May, 2021.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Pro Se Parties