

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HAROLD L. ROSENBERGER,

Plaintiff,

-v.-

1:04-CV-0475
(GLS)(DRH)

NEW YORK STATE OFFICE OF TEMPORARY
AND DISABILITY ASSISTANCE, *et al.*,

Defendant.

APPEARANCES:

HAROLD L. ROSENBERGER
Plaintiff, *pro se*
Highland, NY 12528

DAVID R. HOMER, U.S. MAGISTRATE JUDGE

ORDER

Presently before the Court is a *pro se* complaint filed by Harold Rosenberg ("plaintiff" or "Rosenberger"). Rosenberg has paid the filing fee required for this action.

In his *pro se* complaint Watson seeks a declaratory judgment from this Court that New York State Family Court Act §413 and Domestic Relations Law §240 are unconstitutional. More specifically, plaintiff alleges that these statutes interfere with his constitutionally protected rights to privacy and due process. Rosenberg does not seek to overturn the decision of the state court giving rise to this controversy. For a more complete statement of plaintiff's claims, reference is made to the entire complaint.

WHEREFORE, it is hereby

ORDERED, that the Clerk shall issue summonses and forward them, along with a copy of the complaint and General Order 25, to plaintiff for service of same on the defendants in accordance with the Federal Rules of Civil Procedure, and the Clerk shall forward a copy of this Order and the complaint to the Office of the New York State Attorney General by regular mail, and it is further

ORDERED, that the parties shall comply with General Order 25, which sets forth the Civil Case Management Plan used by the Northern District of New York, and it is further

ORDERED, that a formal response to plaintiff's complaint be filed by the defendants or their counsel as provided for in the Federal Rules of Civil Procedure subsequent to service of process on the defendants, and it is further

ORDERED, that any paper sent by a party to the Court or the Clerk shall be accompanied by a certificate setting forth the date a true and correct copy of same was mailed to all opposing parties or their counsel. **Any letter or other document received by the Clerk or the Court which does not include a certificate of service which clearly states that an identical copy of same was served upon all opposing parties or their attorneys is to be returned, without processing, by the Clerk.**


Plaintiff shall comply with all requests by the Clerk's Office for any documents that are necessary to maintain this action; failure to do so will result in the dismissal of the instant action. Plaintiff is also required to promptly notify the Clerk's Office and counsel for the defendants of any change in his address; failure to do same will result in the

dismissal of the instant action. All motions shall comply with the Local Rules of Practice of the Northern District, and it is further

ORDERED, that the Clerk serve a copy of this Order on plaintiff by regular mail.

IT IS SO ORDERED.

Dated: May 7, 2004


United States Magistrate Judge

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