



U. S. Department of Justice
United States Attorney's Office
Southern District of Texas
1000 Louisiana, Suite 2300
Houston, Texas 77002

Myra F. Siddiqui
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April 8, 2022

Via Email and Certified Mail

David Lee Daniels, III
P.O. Box 1004
Spring, TX 77383-1004
ddaniels.science1@gmail.com

Re: Case No. 4:22-cv-00199: *Daniels v. PennyMac Loan Services, LLC et al*

Dear Mr. Daniels:

As explained in my email to you, service in connection with the above-referenced civil action has not been perfected on Ginnie Mae as of today, April 8, 2022. Rule 4(i) of the Federal Rules of Civil Procedure sets forth the proper procedure for service on corporations of the United States. Your delivery of the complaint only to Ginnie Mae does not constitute complete service of process on the United States in accordance with Rule 4(i)(1) of the Federal Rules of Civil Procedure. The United States does not execute waivers of service under Rule 4(d).

Rule 4(i)(2) requires any suit against an agency or corporation of the United States to also be served on the United States. To effectuate service on the United States, Rule 4(i)(1)(A) requires that a copy of a summons and the complaint be served on the United States Attorney for the district in which the action is brought. As a temporary measure due to COVID-19 concerns, service on the United States Attorney in civil cases must be via email and U.S. mail. A copy of any summons, complaint or emergency motion shall be emailed to USATXS.CivilNotice@usdoj.gov. A paper copy shall be mailed to the Civil Process Clerk, United States Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002. Hand delivery may not be accepted. Service will not be deemed effected until you receive an e-mail acknowledgement from our office.

Rule 4(i)(1)(B) also requires that a copy of the summons and complaint be served on the Attorney General of the United States by sending a copy by registered or certified mail to the Attorney General of the United States at Washington, D.C.

Note that Rule 12(a) provides the United States sixty (60) days to file an answer to the complaint after proper service, and this should be specified on the summons.

For your reference, I have included an instruction sheet that provides details on perfecting service of process. If you have any questions relating to proper service, you may contact me at (713) 567-9600.

Please be advised that the United States and Ginnie Mae will not waive service in this action and that it is incumbent upon you to secure a summons from the clerk of the Court and secure service in the manner prescribed under the Federal Rules of Civil Procedure and temporary COVID-19 measures. This letter shall not be construed as a waiver of service or as an appearance. I ask that once you have perfected service, you kindly provide me a copy of the return mail receipt(s) indicating service for each person/entity.

Sincerely,

JENNIFER B. LOWERY
United States Attorney
Southern District of Texas

By: /s/ Myra F. Siddiqui
Myra F. Siddiqui
Assistant United States Attorney

cc: United States District Judge George C. Hanks, Jr., via CM/ECF

Enclosure

INSTRUCTIONS FOR COMPLETING THE SUMMONS IN A CIVIL ACTION

1. A separate summons and complaint must be sent to each agency or corporation involved in the suit. (Rule 4(i)(1) and (2))
2. For service on the United States, pursuant to Rule 4(i)(1)(A), complete the block under TO (name and address of defendant) with the following:

Civil Process Clerk
United States Attorney's Office
1000 Louisiana Street, Suite 2300
Houston, Texas 77002

3. For service on the Attorney General, complete the block under TO (name and address of defendant) with the following:

United States Attorney General
U.S. Department of Justice
10th & Constitution Avenue, N.W.
Washington, D.C. 20530

4. For service on the officer, agency, or corporation involved in the suit, complete the block under TO with their appropriate address. [This has been completed.]
5. The United States has 60 days after receipt of service to file an answer to the complaint. Do not enter a specific date in this section. (Rule 12(a))
6. The original, or a true copy of the summons, bearing the signature of the U.S. District Clerk's office is acceptable. (Rule 4(a) and (b))
7. The Civil Action Number and the U.S. District Clerk's dated file stamp should appear on both the summons and the complaint.
8. Process Servers may be any person who is not a party to the lawsuit and who is at least 18 years old. (Rule 4(c)(2))
9. You may serve the summons and complaint by registered or certified mail. The envelope should be mailed to the following (Rule 4(i)):

Civil Process Clerk
United States Attorney's Office
1000 Louisiana Street, Suite 2300
Houston, Texas 77002

11. Serve a copy of the summons and complaint by registered or certified mail to the Attorney General at the address listed in number (3) above.

12. Serve a copy of the summons and complaint by registered or certified mail to the officer, agency, or corporation involved in the case at their appropriate address. [This has been completed.]