

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

GREGORY D. DEES

PLAINTIFF

v.

Civil No. 13-3021

NURSE MANDY JONES;
JAIL ADMINISTRATOR JASON
DAY; BOONE COUNTY SHERIFF
MIKE MOORE; and DR. LEE

DEFENDANTS

ORDER

In an order entered on April 8, 2013 (Doc. 14), it was noted that the March 5th answer (Doc. 12) was filed on behalf of all Defendants except for Dr. Lee. However, the return of summons shows that the Records Clerk for Boone County, Karen Hill, accepted service for Dr. Lee on March 4, 2013. (Doc. 13 at pgs. 4-5).

Defendants were advised that if they contended this was not effective service, they should so advise the Court and provide the Court with the current address and phone number of Dr. Lee. On April 10th, Defendants filed a motion (Doc. 15) to set aside service of process. Defendants assert that Dr. Lee is not now, and was not at the time of service, employed by Boone County. Accordingly, they maintain service was improper. The motion (Doc. 15) is granted. Service will again be directed on Dr. Lee.

Next, Defendants ask that they be allowed to submit Dr. Lee's address under seal (Doc. 17). Defendants may submit the address to the Court without filing it in the public record. However, Defendants are advised that the summons and return of service will both contain this information. The return of service is filed. If Dr. Lee desires to keep his address and phone

number out of the public record, he should designate an attorney to accept service on his behalf.

The motion (Doc. 17) is granted in part and denied in part.

IT IS SO ORDERED this 15th day of April 2013.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE