

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 14-cv-01133-RM-KMT

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA,

Plaintiff,

v.

ANTHONY E. AYNES,
CHRISTOPHER C. AYNES, a/k/a CHRISTOPHER C. VANDERSLICE, and
TIMOTHY N. AYNES (nee MARSHALL),

Defendants.

ORDER

This matter is before the court on the “Motion of the Prudential Insurance Company of America to Extend the Deadline for Service of Process and to Permit Service on Timothy N. Aynes by Publication Pursuant to Fed. R. Civ. P. 4(m) and C.R.C.P. 4(g)” (Doc. No. 26, filed October 14, 2014). The court, being satisfied that due diligence has been used to obtain personal service on Defendant Timothy N. Aynes, and that efforts to obtain service would have been to no avail, hereby

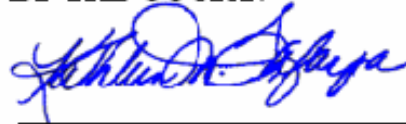
ORDERS that the Motion is **GRANTED in part**. An extension of time is granted through December 9, 2014, for service of process on Defendant Timothy N. Aynes (nee Marshall). Plaintiff may effect service on Defendant Timothy N. Aynes (nee Marshall) by publication of the process in accordance with Colo. R. Civ. P. 4(g)(2), in a newspaper published in the county in which this action is pending. Such publication shall be made once each week for

five successive weeks. Within 14 days after this Order, Plaintiff shall mail a copy of the process to Defendant Timothy N. Aynes (nee Marshall) at his last known address and file proof thereof. Service shall be complete on the day of the last publication. The court further

ORDERS that if, after service is complete, Defendant Timothy N. Aynes (nee Marshall) does not answer or otherwise respond to the complaint pursuant to Fed. R. Civ. P. 12(a)(1)(A), Plaintiff may file a motion requesting entry of default and default judgment under Fed. R. Civ. P. 55.

Dated this 15th day of October, 2014.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge