

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

HOUSTON CASUALTY COMPANY,

Plaintiff,

v.

Case No: 6:24-cv-1140-PGB-LHP

ANGELS ON EARTH PPEC, INC. and
JOYCE DURHAM,

Defendants

ORDER

Before the Court is Houston Casualty Company's Motion for Clerk's Default Against Angels on Earth PPEC, Inc. Doc. No. 69. On review, the motion (Doc. No. 69) is **DENIED without prejudice**. First, the motion fails to comply with Local Rule 3.01(g). Second, the motion fails to demonstrate, by citation to applicable legal authority, that Angels on Earth PPEC, Inc. was properly served. Specifically, Plaintiff fails to show that service on a corporation by substitute service on a co-resident of a registered agent, at a residential address not listed with the Florida Secretary of State, suffices to effect proper service under governing law. See Doc. No. 69. Cf. *Roor Int'l BV v. DNR USA Corp.*, No. 6:19-cv-171-Orl-31LRH, 2019 WL 10784415, at *2 (M.D. Fla. Nov. 13, 2019) ("Plaintiffs' motion seems to suggest that

if a registered agent can no longer be found at the address provided, it is proper to serve the registered agent by substitute service at his residential address Plaintiffs . . . have provided no binding or persuasive authority in support, and at least one court in this district has previously rejected a similar argument.” (citing *Auto-Owners Ins. Co. v. Traster*, No. 6:16-cv-2051-Orl-41DCI, 2017 WL 10080181, at *2 (M.D. Fla. Apr. 5, 2017))).

Plaintiff shall file a renewed motion within **fourteen (14) days** of this Order, in full compliance with the Local Rules, and demonstrating by citation to legal authority that service on Angels on Earth PPEC, Inc. was proper.

DONE and ORDERED in Orlando, Florida on March 12, 2025.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties