

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

THOMAS O'NEAL,

Plaintiff,

v.

Case No. 8:20-cv-936-T-KKM-AAS

AMERICAN SHAMAN FRANCHISE  
SYSTEMS, INC., et al.,

Defendants.

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**ORDER**

Plaintiff Thomas O'Neal asks for an order finding that he has properly served Defendants Brandon Carnes and Katelyn Sigman. (Doc. 39). Under Federal Rule of Civil Procedure 4(e)(2)(C), a plaintiff may serve an individual by "delivering a copy of [the summons and the complaint] to an agent authorized by appointment or by law to receive service of process." O'Neal's motion shows that he has acted diligently in his attempts to serve Carnes and Sigman. Attached to O'Neal's motion is an affidavit from his process server, who states that Carnes called the process server from Sigman's phone number and gave the process server authorization to serve attorney Shawn Pickett on behalf of Carnes and Sigman. (Doc. 39-1, ¶¶ 5-6). The process server did so, and O'Neal filed those executed returns of service on the docket. (Docs. 31, 32).

In the light of these facts, the Court finds that O'Neal properly served Carnes

and Sigman. Accordingly, O'Neal's motion to determine the validity of service (Doc. 39) is **GRANTED**.

**ORDERED** in Tampa, Florida, on February 16, 2021.



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Kathryn Kimball Mizelle  
United States District Judge