

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

ANGELA DEBOSE,

Plaintiff,

v.

Case No.: 8:21-cv-2127-SDM-AAS

UNITED STATES, et al.,

Defendant.

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ORDER

Defendant Gregory Holder moves to quash improper service of process effected on October 11, 2021. (Doc. 22). Plaintiff Angela Debose opposes the motion. (Doc. 29).

On October 4, 2021, the Clerk of Court issued a summons addressed to: Judge Gregory P. Holder (c/o Chief Judge Ronald Ficarrota), Thirteenth Judicial Circuit Court, 800 Twiggs Street, Rm. 602, Tampa, FL 33602. (Doc. 15). According to Ms. Dubose's proof of service, Mr. Dubose was served on October 11, 2021, by serving the representative of the Thirteenth Judicial Circuit. (*See* Doc. 28, p. 20). However, Mr. Holder is retired and is no longer employed by the Thirteenth Judicial Circuit. (*See* Doc. 22, p. 1).

Federal Rule of Civil Procedure 4(e) governs service on an individual within a judicial district of the United States and provides that service of

process may be accomplished by:

- (1) following state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located or where service is made; or
- (2) doing any of the following:
 - (A) delivering a copy of the summons and of the complaint to the individual personally;
 - (B) leaving a copy of each at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there; or
 - (C) delivering a copy of each to an agent authorized by appointment or by law to receive service of process.

Ms. Dubose attempted to serve Mr. Holder at his former place of business. The summons and Second Amended Complaint were not personally delivered to Mr. Holder or left at his place of abode. Service was also not left with an agent authorized to accept service on his behalf. Thus, service is improper.

Accordingly, the motion to quash service of process on Gregory Holder (Doc. 22) is **GRANTED**.

ORDERED in Tampa, Florida on November 17, 2021.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

cc:

Angela Debose
1107 W. Kirby Street
Tampa, Florida 33604