


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

 FILED
John E. Triplett, Acting Clerk
United States District Court
By CAsbell at 11:24 am, Jan 13, 2021

QUENTIN A. DOOLEY,

Plaintiff,

v.

DR. HEINS; and DR. BROOME,

Defendants.

CIVIL ACTION NO.: 6:18-cv-49

ORDER

This matter is before the Court on the United States Marshals Service's Unexecuted Returns as to Defendants.¹ Doc. 28. On January 21, 2020, this Court ordered service of Plaintiff's Complaint upon Defendants and advised each Defendant of his duty to avoid unnecessary costs when service is executed. Doc. 23. The Court noted a defendant "who fails to comply with the request for waiver must bear the costs of personal service unless good cause can be shown for the failure to return the waiver." *Id.* at 9 (citing Fed. R. Civ. P. 4(d)(2)). The United States Marshals Service initially sent the service waiver to Defendants on January 23, 2020, and the certified mail card was returned, signed by "B. Lane," on January 27, 2020. Doc. 26. However, the waivers were returned as unexecuted on August 1, 2020, and were filed on August 6, 2020. *Id.*

Accordingly, the Court ordered the United States Marshals Service to personally serve Defendants with a copy of the January 21, 2020 and October 2, 2020 Orders within 30 days of

¹ The Court notes these Unexecuted Returns should apply to both Defendants and **DIRECTS** the Clerk of Court to update the docket accordingly.

the October 2, 2020 Order, if practicable. Doc. 27 at 1. The Court also instructed Plaintiff to provide any information he might have regarding Defendants' whereabouts to the United States Marshals Service. Id. at 2. The Marshals Service signed Returns for both Defendants, dated December 18, 2020, with the notations: "Unexecuted-Not Sufficient [Personal Identifiable Information]." Doc. 28 at 1, 2.

Consequently, the Court **ORDERS** Plaintiff to provide any information regarding Defendants' whereabouts or any additional personally identifiable information for Defendants to the United States Marshals Service and this Court within 30 days of this Order. The Court forewarns Plaintiff his failure to provide any additional information for the effectuation of service or to otherwise respond to this Order will result in the recommended dismissal of his cause of action based on failure to follow a Court Order and failure to prosecute.

SO ORDERED, this 13th day of January, 2021.

A handwritten signature in blue ink, appearing to read "B. Cheesbro", written over a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA