

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ATRELLA REYNOLDS,**

**Plaintiff,**

**v.**

**AAA AUTO CLUB ENTERPRISES,**

**Defendant.**

**Case No. 12-cv-200-DRH-DGW**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

This matter comes before the Court for case management. Defendant has not been properly served, as the summons has been twice returned unexecuted (Docs. 15, 39). Plaintiff has not provided the Court with defendant's correct address for service of process. As the Court has previously informed plaintiff, should she wish to service process on defendant's Texas registered agent, she is directed to contact the Texas Secretary of State's office at 512-463-5555 or email at Corpinfo@sos.state.tx.us to request the name of the registered agent for the defendant to enable service upon the proper registered agent. Although the time for service has since passed, the Court has decided to allow plaintiff additional time to properly serve defendant, pursuant to FEDERAL RULE OF CIVIL PROCEDURE 4(m).

The Clerk of Court is **DIRECTED** to complete, on plaintiff's behalf, a summons and a form USM-285 using information provided by plaintiff; the Clerk shall issue the completed summons. As to the information required of plaintiff, the Court again reiterates that it is plaintiff's responsibility to provide the Clerk with the correct address of defendant's agent authorized to accept service of process. *See* Fed. R. Civ. P. 4(h)(1)(B). The Court shall not independently investigate the correct address of defendant. Accordingly, plaintiff is **ORDERED** to provide the correct address to the Clerk of the Court to enable effective service of process upon defendant. Plaintiff shall provide this information by **September 14, 2012**.

The United States Marshal **SHALL**, pursuant to Federal Rule of Civil Procedure 4, personally serve upon defendant the summons, a copy of the complaint, and a copy of this Memorandum and Order. All costs of service shall be advanced by the United States, and the Clerk shall provide all necessary materials and copies to the United States Marshals Service.

It is **FURTHER ORDERED** that plaintiff shall serve upon defendant, or if an appearance has been entered by counsel, upon that attorney, a copy of every pleading or other document submitted for consideration by this Court. Plaintiff shall include with the original paper to be filed a certificate stating the date that a true and correct copy of the document was mailed to defendant or counsel. Any paper received by a district judge or a magistrate judge that has not been filed

with the Clerk or that fails to include a certificate of service will be disregarded by the Court.

Additionally, plaintiff is **ADVISED** that she is under an obligation to keep the Clerk of Court and opposing counsel informed of her address; the Court will not independently investigate her whereabouts. This shall be done in writing and not later than **7 days** after a change in address occurs. Failure to comply with this order will cause a delay in the transmission of court documents and may result in dismissal of this action under Federal Rule of Civil Procedure 41.

**IT IS SO ORDERED.**

Signed this 31<sup>st</sup> day of August, 2012.

  
Digitally signed by  
David R. Herndon  
Date: 2012.08.31  
10:42:24 -05'00'

**Chief Judge  
United States District Court**