

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RONALD SATISH EMRIT

CIVIL ACTION

VERSUS

HUNTER MEDICAL SYSTEMS, INC.

NO. 14-00608-BAJ-RLB

ORDER

On June 24, 2015, this Court ordered Ronald Satish Emrit (“Plaintiff”) to show cause, in writing, within seven days of the filing of the order why the Middle District of Louisiana was the proper venue for this action. (Doc. 22). The order was docketed and electronically mailed to Plaintiff on June 25, 2015. On July 6, 2015, this Court then ordered that the above-captioned action be dismissed with prejudice for failure to comply with this Court’s order to show cause. (Doc. 23). On July 10, 2015, the Clerk of Court received Plaintiff’s Response to the Order to Show Cause (Doc. 24) via the United States Postal Service.

Plaintiff then filed a Notice of Appeal on July 13, 2015. (Doc. 25). In light of the Plaintiff’s filing, the Court entered an Indicative Ruling on July 17, 2015, requesting that the United States Court of Appeal for the Fifth Circuit remand this matter so that the Court could vacate its prior order of dismissal. The Court’s request was based on a finding that as a *pro se* litigant, Plaintiff was given insufficient time to file his response to the Order to Show Cause.¹ (Doc. 26).

¹ To be clear, however, the Court will not excuse Plaintiff’s failure to comply with deadlines in the future.

On August 3, 2015, the United States Court of Appeal for the Fifth Circuit issued a Mandate remanding this case pursuant to Federal Rule of Appellate Procedure 12.1. (Doc. 28).

Based on the foregoing,

IT IS ORDERED that this Court's prior order dismissing this action with prejudice (Doc. 23) is **HEREBY VACATED**.

IT IS FURTHER ORDERED that the United States Marshal shall serve defendant, Defendant Hunter Medical Systems, Inc., at the newly provided address of One Lincoln Centre, 5400 LBJ Freeway, Suite 200, Dallas Texas 75240-1015, with the Complaint (Doc. 1) and the attached Summons in the manner required by Rule 4 of the Federal Rules of Civil Procedure, wherever found. The United States Marshal shall provide form USM-285 to Plaintiff for completion and return to the United States Marshal prior to service.

Baton Rouge, Louisiana, this 7th day of August, 2015.



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

UNITED STATES DISTRICT COURT

for the

Middle District of Louisiana

RONALD SATISH EMRIT

Plaintiff(s)

v.

HUNTER MEDICAL SYSTEMS, INC.

Defendant(s)

Civil Action No. 14-00608-BAJ-RLB

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) HUNTER MEDICAL SYSTEMS, INC.
One Lincoln Centre
5400 LBJ Freeway, Suite 200
Dallas, Texas 75240-1015

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: RONALD SATISH EMRIT
4529 Townwall Street
Las Vegas, Nevada 89115

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Pamela Hester

Signature of Clerk or Deputy Clerk

Date: 08/07/2015

Civil Action No. 14-00608-BAJ-RLB

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: