

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES MABEN,

Plaintiff

v.

Case No. 1:17-cv-11713

District Judge Thomas L. Ludington

Magistrate Judge Anthony P. Patti

CORIZON HEALTH, INC.,
BADAWI ABDELLATIF,
HILDA MBIDZO, and
RAUL TUMADA,

Defendants.

ORDER REGARDING SERVICE UPON DEFENDANT TUMADA

On June 19, 2017, the Court entered an order directing service without prepayment of costs and authorizing the U.S. Marshal to collect costs after service is made. (DE 7; *see also* DE 9 at 5.) Defendants Corizon Health, Abdellatif and Mbidzo have appeared and are represented by attorneys Ronald W. Chapman, Carly A. Van Thomme, and Patrick L. Klida. (DEs 11, 12, 16, 23, 24, 26.)

Defendant Tumada has yet to appear. The June 20, 2017 attempt to serve Tumada at the Michigan Department of Corrections (MDOC) Macomb Correctional Facility (MRF) was returned with a letter explaining that Tumada is not an MDOC employee and providing contact information for Corizon Health. (DE 32.) On December 18, 2017, the Court issued an order directing re-service of

the complaint. That order directed the MDOC to provide the USMS with "the address for any current or former employee listed above upon whom service has not been effected." (DEs 47.) On December 19, 2017, the USMS acknowledged receipt of documents for service of process - presumably for Tumada at Corizon. (DE 48.) However, on January 9, 2018, the attempt to serve Tumada at Corizon Health's Michigan Regional Office was returned with a letter indicating that Tumada "is not employed by Corizon Health[.]" (DE 51.)

The Court has reason to believe that, at least at one point, Tumada was a Corizon Health employee. *See, e.g., Anderson v. Jutzy, et al.*, Case No. 2:15-cv-11727-DML-RSW (E.D. Mich. Feb. 12, 2016) (Raul Tumada represented by attorney Ronald Chapman). Upon consideration, no later than **Monday, March 19, 2018**, Defendant Corizon Health **SHALL: (1)** clarify whether Tumada is or was an employee; and, **(2)** if so, provide either Tumada's last known address under seal to the United States Marshal Service (Eastern District of Michigan, 231 W. Lafayette, Detroit, MI 48226) or another address upon which service can be effectuated.

Dated: March 9, 2018

s/Anthony P. Patti

Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on March 9, 2018, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti