

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

BLAINE CARR & WANDER CARR

PLAINTIFFS

v.

Civil No. 1:19-cv-00078-GHD-DAS

SELECT PORTFOLIO SERVICING CORP, *et al.*

DEFENDANTS

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ORDER GRANTING DEFENDANT'S MOTION TO DISMISS

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This matter is before the Court on Defendant Select Portfolio Servicing, Inc's<sup>1</sup> motion to dismiss for insufficient service of process under Federal Rule of Civil Procedure 12(b)(5) [14].

On July 15, 2019, the Court found that Plaintiffs' initial attempt at service of process was insufficient and ordered Plaintiffs to effect proper service on Select Portfolio Servicing by August 21, 2019, and file proof of that service with the Court [11]. The Court warned the Plaintiffs, who are representing themselves in this case, that failure to do so would result in the Court dismissing their claims. To date, there is no indication that Plaintiffs have served Select Portfolio Servicing in accordance with the Court's order.

Therefore, the Court ORDERS that:

1. Defendant Select Portfolio Servicing, Inc.'s motion to dismiss [14] is GRANTED;
- and
2. Plaintiffs' claims against Select Portfolio Servicing, Inc. are DISMISSED WITHOUT PREJUDICE.

SO ORDERED, this, the 7<sup>th</sup> day of October, 2019.

  
SENIOR U.S. DISTRICT JUDGE

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<sup>1</sup> Select Portfolio Servicing, Inc is misidentified in the complaint as Select Portfolio Servicing Corp.