

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

TERESA BEASLEY

PLAINTIFF

V.

CAUSE NO. 5:16-CV-82-DCB-MTP

ROBERT LANG, BEVERLY LANG,

AND EF PROPERTIES, LLC

DEFENDANTS

ORDER

Before the Court is EF Properties, LLC's Motion to Dismiss **[Doc. 88]** Plaintiff Theresa Beasley's Amended Complaint on grounds of insufficiency of process and insufficiency of service of process.

This is EF Properties' second Motion to Dismiss Beasley's Amended Complaint on service-related grounds. See Doc. 39. EF Properties waived the sufficiency-of-service arguments it advances here when it failed to raise them in the Motion to Dismiss it filed ten months ago. FED. R. CIV. P. 12(g)(2); Crispin-Taveras v. Municipality of Carolina, 647 F.3d 1, 7 (1st Cir. 2011) (defendant waived additional sufficiency-of-service argument by failing to include it in its initial motion to dismiss on service-related grounds).

Regardless, the Court has already determined that EF Properties was properly served. See Doc. 43. If EF Properties continues to file meritless motions, which have no apparent purpose other than to prolong this litigation, the Court will consider imposing sanctions under Federal Rule of Civil Procedure 11.

Accordingly,

IT IS ORDERED that EF Properties, LLC's Motion to Dismiss **[Doc. 88]** is DENIED.

SO ORDERED, this the 14th day of May, 2018.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE