

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ALONZO DWAYNE COLEMAN,)	
)	
Plaintiff,)	
)	
v.)	No. 1:13CV61 SNLJ
)	
MICHAEL HAKALA, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff’s numerous motions for entry of default and default judgment. Also before the Court is a letter from counsel for the Missouri Department of Corrections relative to defendant Elizabeth Conley.

Plaintiff, an inmate at Southeast Correctional Center (“SECC”) brings this action pursuant to 42 U.S.C. § 1983 against current and former Corizon, Inc. and Missouri Department of Corrections employees alleging that they were deliberately indifferent to his serious medical condition relating to his polycystic liver disease.

On October 24, 2013, the Court issued an order relating to service of process in this case. Plaintiff had identified Elizabeth Conley as an employee of the Missouri Department of Corrections (“MDOC”) in his complaint, therefore, the Court attempted to serve process on her through the Court’s waiver agreement

it maintains with the Missouri Attorney General's Office. On December 12, 2013, the Court received a correspondence from Assistant Attorney General Eileen Ruppe Krispin notifying the Court that Elizabeth Conley was not employed by MDOC, but rather was an employee of Corizon, Inc. The Court will attempt to serve process on Elizabeth Conley by personal service on her at SECC.

Plaintiff's motions for entry of default and default judgment, however, will be denied, as service on defendants Michael Hakala, Stephanie Novak, Ruth Taylor and P. Stanley was not accomplished within the confines of Fed.R.Civ.P.4. The return of summons on these individuals shows that service was done by the U.S. Marshals at the registered agent for Corizon, Inc. which is not proper service on an individual under the Federal Rules. As such, plaintiff's motions for default must be denied.

Accordingly, the Court will direct the Clerk of Court to instruct the United States Marshals to serve defendants Elizabeth Conley, Michael Hakala, Stephanie Novak, Ruth Taylor, and P. Stanley, in their individual capacity, in person, at their place of employment, Southeast Correctional Center ("SECC").

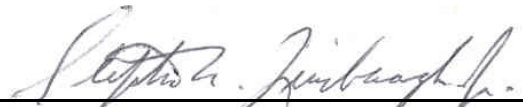
Accordingly,

IT IS HEREBY ORDERED that plaintiff's motions for entry of default and for default judgment [Doc. #37, 38, 39, 40, 41 and 42] are **DENIED**.

IT IS FURTHER ORDERED that the Clerk shall issue process or cause process to issue upon the complaint. The Clerk shall have the United States Marshals serve defendants Elizabeth Conley, Michael Hakala, Stephanie Novak, Ruth Taylor and P. Stanley, in person, by personal summons at their place of employment, Southeastern Correctional Center (“SECC”).

IT IS FURTHER ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), defendants shall reply to plaintiff’s claims within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure.

Dated this 23rd day of December, 2013.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE