

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Civil Action No. 8:09CV431
)	
Petitioner,)	
)	ORDER
v.)	
)	
DOUGLAS VOYLES,)	
)	
Respondent.)	

This matter is before the court on Petitioner's motion for an extension of time to perfect service and for a continuance of the January 19, 2010, hearing in this matter [Filing No. 4]. On December 7, 2009, this Court ordered Respondent to appear on January 19, 2010, to show cause why he should not be compelled to comply with two IRS summonses [Filing No. 3]. The Court further ordered that Respondent be personally served with the Petition and Order within 30 days of the date of the Order [Filing No. 3]. The Petitioner attempted to personally serve the Motion and Order on a number of separate occasions but was unsuccessful [Filing No. 4]. Upon consideration, and for good cause shown,

IT IS ORDERED:

1. Petitioner's motion for an extension of time to perfect service and motion for a continuance of the January 19, 2010, hearing is granted.
2. Respondent, Douglas Voyles, shall appear before the undersigned judge in the District Court of the United States for the District of Nebraska, in **Courtroom No. 6, 2nd Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska on the 22nd day of February 2010, at 3:00 P.M.**, to show cause why he should

not be compelled to comply with the IRS summonses.

IT IS FURTHER ORDERED that a copy of this Order, together with (1) Petitioner's Motion to Continue Hearing and for Extension of Time to Perfect Service [Filing No. 4]; (2) the Order dated December 7, 2009 [Filing No. 3]; and (3) the Petition to Enforce Internal Revenue Summonses and exhibits thereto [Filing No. 1], be personally served on Douglas Voyles by either a United States marshal, a deputy United States marshal, or by an official of the Internal Revenue Service who is hereby specially appointed for that purpose, within thirty (30) days of the date of this Order and that proof of service as provided for in Fed. R. Civ. P. 4(1) be filed with the Clerk of the District Court within five (5) business days after such service upon Respondent.

IT IS FURTHER ORDERED that if the Respondent fails to appear herein or otherwise respond, the United States may move to hold the Respondent in contempt of an Order of this court.

DATED this 8th day of January 2010.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge