


1 served someone named “Cuddy” who is identified as a “Manager.”⁶ This was not proper service
2 under either the federal rule or the Nevada rule.⁷

3 Hicks is not relieved of her obligation to comply with the rules and procedures of this
4 court simply because she has not retained, or cannot afford to retain, an attorney to represent her.⁸
5 I recognize that the proper entity to name in this case might be opaque to a pro se plaintiff, and
6 that the motion to quash likely clarified that Dolgen Midwest, LLC is registered to do business in
7 Nevada as Dollar General.⁹ I therefore give Hicks an additional 30 days to properly serve this
8 defendant.

9 Accordingly, IT IS HEREBY ORDERED that Dollar General’s motion to quash service
10 **[ECF No. 20] is GRANTED.** IT IS FURTHER ORDERED that Hicks has until **August 16,**
11 **2017,** to properly serve Dolgen Midwest, LLC d/b/a Dollar General with a copy of the amended
12 complaint and summons. Failure to do so will result in this case being dismissed without further
13 notice. Hicks must submit a new summons to the Clerk of Court bearing the correct name and
14 address for this defendant. Hicks is cautioned that the applicable procedural rules require process
15 to be personally served on the defendant or its authorized agent; service by mail or a package-
16 delivery company is not sufficient.

17 DATED: July 17, 2017.

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19 _____
20 U.S. District Judge Jennifer A. Dorsey

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22 ⁶ ECF No. 19-1.

23 ⁷ FRCP 4(h)(1)(A) authorizes process to be served on a corporation by following state law for
24 doing so. Nevada’s applicable rule mirrors FRCP 4(h)(1)(B). *See* Nev. R. Civ. Proc. 4(d)(1).

25 ⁸ *See e.g. Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995) (“Although we construe pleadings
26 liberally in their favor, pro se litigants are bound by the rules of procedure.”); *Jacobsen v. Filler*,
790 F.2d 1362, 1364 (9th Cir. 1986) (“pro se litigants in the ordinary civil case should not be
27 treated more favorably than parties with attorneys of record”).

28 ⁹ The motion to quash also clarified that CSC Services of Nevada, Inc. is authorized to accept
service of process on behalf of this defendant. ECF No. 19-1.