

1 Under 28 U.S.C. § 1448, if service of process was not perfect against a defendant prior to
2 removal, the plaintiff must perfect service in the same manner as a case originally filed in federal
3 court. Service in federal court requires a federal summons. *See* FED. R. CIV. P. 4.

4 Here, SKRAM was not served with a federal summons. Thus, service of process was not
5 properly effectuated. However, the court finds that there is good cause to allow Knight to have
6 federal summons issued and serve the same upon defendant SKRAM because SKRAM has notice
7 of this action. Therefore, the court shall grant Knight thirty (30) days to effectuate proper service
8 upon defendant SKRAM in accordance with Rule 4 of the Federal Rules of Civil Procedure.

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10 IT IS THEREFORE ORDERED that defendant's motion to dismiss (Doc. #26) is
11 GRANTED.

12 IT IS FURTHER ORDERED that plaintiff shall have thirty (30) days after entry of this
13 order to effectuate service upon defendants in accordance with the Federal Rules of Civil
14 Procedure.

15 IT IS SO ORDERED.

16 DATED 8th day of November, 2011.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE