

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ERIK KHAN,**

**Plaintiff,**

**v.**

**No. 15-cv-1151 MV/SMV**

**CHRIS BARELA, BOARD OF COUNTY  
COMMISSIONERS OF DOÑA ANA COUNTY,  
ARAMARK CORPORATION,  
BILL STICKLES, and DAVID BEAM,**

**Defendants.<sup>1</sup>**

**ORDER TO RE-ISSUE NOTICE AND WAIVER-OF-SERVICE FORM  
AS TO DEFENDANT ARAMARK**

THIS MATTER is before the Court on Plaintiff's Motion for Order Directing United States Marshals Service to Effect Formal Service on Defendant Aramark [Doc. 117], filed July 24, 2020. On May 1, 2020, this Court directed that notice, the waiver-of-service form, and the Third Amended Complaint [Doc. 100] be mailed to Defendant Aramark. [Doc. 99]. Because more than 60 days have passed and Defendant Aramark has not waived service, Plaintiff requests that personal service be attempted by the Marshals Service. [Doc. 117] at 1 (citing 28 U.S.C. § 1915(d)). However, in his Motion, Plaintiff provides a new address for Defendant Aramark that he has not provided before:

Aramark Correctional Services  
CT Corporation Systems  
206 S. Coronado Ave  
Española NM 87532-2792

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<sup>1</sup> This caption reflects the Defendants listed in the Third Amended Complaint, except that Plaintiff has also substituted Defendant David Beam or the John Doe Defendant. [Docs. 100, 109].

Previously, Plaintiff provided that Aramark should be served in care of the Doña Ana County Detention Center in Las Cruces, [Doc. 77] at 21, and the waiver-of-service form was sent to that address. *See id.* Because Plaintiff now provides a new address, it is appropriate to send the waiver-of-service request to that new address before ordering personal service.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff's Motion for Order Directing United States Marshals Service to Effect Formal Service on Defendant Aramark [Doc. 117] is **GRANTED IN PART and DENIED IN PART**.

The Motion is **GRANTED** to the extent that the Clerk should re-issue the notice and waiver-of-service form, and send them, along with a copy of the Third Amended Complaint [Doc. 100], to:

Aramark Correctional Services  
CT Corporation Systems  
206 S. Coronado Ave  
Española NM 87532-2792

The Motion is **DENIED** to the extent that it seeks personal service.

**IT IS SO ORDERED.**

  
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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**