

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:15-CV-00044-GCM-DSC**

TODD W. SHORT,)
)
 Plaintiff,)
)
 v.)
)
 STATE OF NORTH CAROLINA, et. al.,)
)
 Defendants.)

ORDER

THIS MATTER is before the Court on the following Motions and the parties’ briefs and exhibits associated with those Motions:

1. “Plaintiff’s Motion for Enlargement of Time to Serve Process on Defendant Who Are Without Known Serviceable Address or Registered Agent” (document #83),
2. “Plaintiff’s Motion for Enlargement of Time to Serve Process on Evading Defendant and to Serve By Alternative Means” (document #84),
3. “Plaintiff’s Motion to Quash ... Defendant[s] Waiver of the Service of the Summons in Their Individual Capacity” (document #111),
4. “Plaintiff’s Motion to Require Certain Defendants Pay the Unnecessary Expenses of Service” (document #113),
5. “Plaintiff’s Motion for Clarification ...” (document #131),
6. Defendant Redmond’s “Motion for Approval of Limited Service” (document #146),

7. Defendant Zemp's "Motion for Approval of Limited Service" (document #149),
8. "Plaintiff's Emergency Joint Motion for Leave to File Second Amended Complaint and Enlargement of Time to Serve Remaining Defendants ..." (document #174),
9. "Plaintiff's Renewed Motion for Alternative Method of Service of the Remaining Unserved Defendants" (document #190),
10. "Plaintiff's Motion for Leave to Amend and Update Motion to Require Certain Defendants Pay the Unnecessary Expenses of Service" (document #191),
11. "Plaintiff's Motion to Amend His Motion to Require Certain Defendants Pay the Unnecessary Expenses of Service" (document #201).

Pro se Plaintiff has filed an Amended Complaint alleging violation of the Americans with Disabilities Act ("ADA"). The Complaint names more than forty Defendants and contains more than six hundred paragraphs. The essence of Plaintiff's Motions is that effecting service here as required by the Federal Rules of Civil Procedure is too expensive and time-consuming. He also complains that certain Defendants are refusing to cooperate with his attempts at service. In like manner, Defendants Redmond and Zemp ask to be exempted from requirements for service.

A detailed statement of the procedural history is contained in the Court's "Order" (document #63) (denying extension of time to file Second Amended Complaint, declaring Verified Amended Complaint to be operative pleading, denying Plaintiff's Motion for Stay, extending deadline for service of process to August 20, 2015, and "warn[ing] Plaintiff that Defendants who are not properly served by the extended deadline of August 20, 2015 will be subject to dismissal pursuant to Rule 4(m).")

The Court reminds the parties that the Federal Rules of Civil Procedure and the Local Rules, as well as the Court's Orders, apply with equal force to all parties. For this reason, these Motions are **DENIED**.

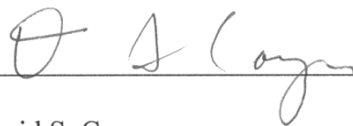
IT IS THEREFORE ORDERED that:

1. "Plaintiff's Motion for Enlargement of Time to Serve Process on Defendant Who Are Without Known Serviceable Address or Registered Agent" (document #83), "Plaintiff's Motion for Enlargement of Time to Serve Process on Evading Defendant and to Serve By Alternative Means" (document #84), "Plaintiff's Motion to Quash ... Defendant[s] Waiver of the Service of the Summons in Their Individual Capacity" (document #111), "Plaintiff's Motion to Require Certain Defendants Pay the Unnecessary Expenses of Service" (document #113), "Plaintiff's Motion for Clarification ..." (document #131), Defendant Redmond's "Motion for Approval of Limited Service" (document #146), Defendant Zemp's "Motion for Approval of Limited Service" (document #149), "Plaintiff's Emergency Joint Motion for Leave to File Second Amended Complaint and Enlargement of Time to Serve Remaining Defendants ..." (document #174), "Plaintiff's Renewed Motion for Alternative Method of Service of the Remaining Unserved Defendants" (document #190), "Plaintiff's Motion for Leave to Amend and Update Motion to Require Certain Defendants Pay the Unnecessary Expenses of Service" (document #191), and "Plaintiff's Motion to Amend His Motion to Require Certain Defendants Pay the Unnecessary Expenses of Service" (document #201) are **DENIED**.

2. The Clerk is directed to send copies of this Order to pro se Plaintiff; to defense counsel; and to the Honorable Graham C. Mullen.

SO ORDERED.

Signed: September 18, 2015

A handwritten signature in cursive script, appearing to read "D S Cayer", written over a horizontal line.

David S. Cayer
United States Magistrate Judge

