

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WENDY CROOK,

Plaintiff,

v.

ROBERTO MEZA-MUROS, et al.,

Defendant.

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Civil Action No. 3:23-CV-1096-X

MEMORANDUM OPINION AND ORDER

Plaintiff Wendy Crook filed a Motion for Substitute Service. (Doc. 25). Because Plaintiff has been unable to serve Defendant A & L's Construction & Ready Mix after multiple attempts, the Court **GRANTS** the motion.

Rule 106(b) of the Texas Rules of Civil Procedure authorizes substitute service of process that is “reasonably effective to give the defendant notice of suit” provided the motion is accompanied by a sworn statement “listing any location where the defendant can probably be found and stating specifically the facts showing that service has been attempted” under 106(a) of the Rules.¹ Plaintiff has satisfied 106(b)'s sworn statement requirement.² The Court finds that substitute service will be reasonably effective to give Defendant A & L's Construction & Ready Mix notice of this lawsuit. Therefore, in accordance with Rule 106(b), the Court authorizes substitute service of process on Defendant A & L's Construction & Ready Mix by (1)

¹ TEX. R. CIV. P. 106(b)(2).

² See Doc. 25 at 5–6.

leaving a copy of the citation and petition with anyone older than sixteen at 1969 Cornell Ave., Melrose Park, IL 60160 or (2) leaving a copy of the citation and petition at Defendant A & L's Construction & Ready Mix's last known address.

IT IS SO ORDERED this 13th day of November, 2022.

A handwritten signature in black ink, appearing to read "Brantley Starr", written over a horizontal line.

BRANTLEY STARR
UNITED STATES DISTRICT JUDGE