

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES EDWARD CURTIS,

Plaintiff,

V.

LEATHERS (FNU), et al.,

Defendant.

CASE NO. C17-474 RAJ-BAT

**ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENTION OF
TIME TO EFFECT SERVICE**

On August 28, 2017, James Curtis filed a motion for extension of time to effect service.

Dkt. 23. The Court directed counsel for the Department of Corrections to indicate whether counsel will accept service on behalf of Ms. Leathers (aka Jorgenson), or whether Mr. Curtis should attempt to effect personal service. Dkt. 24. Defendant's counsel declined to accept service on behalf of Ms. Leathers averring because Ms. Leathers is currently unavailable, counsel cannot act on her behalf. Dkt. 25 at 2. Defendant's counsel also opposes extending the time to effect service arguing plaintiff's attempts may be futile. *Id.* However, because it is premature to conclude attempts to effect personal service is futile, the Court **ORDERS:**

1. Plaintiff's motion for extension, Dkt. 23, is **GRANTED**. Plaintiff shall attempt to effect personal service no later than **September 26, 2017**, and shall file with the Court proof of service, as set forth in Local Civil Rule 5(f), no later than **September**

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2. The Clerk shall provide a copy of this order to the parties, and the Honorable Richard A. Jones.

DATED this 5th day of September, 2017.


BRIAN A. TSUCHIDA
United States Magistrate Judge

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