

NO. 2022-59154

TEXAS ALLIANCE MEDICAL
GROUP, PA

Plaintiff,

vs.

ROY W. SMITH

Defendant.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, T E X A S

270th JUDICIAL DISTRICT

ORDER ON MOTION FOR SUBSTITUTE SERVICE OF PROCESS

ON THIS DAY came on for consideration the Plaintiff's Motion for Substitute Service under Rule 106(b), Texas Rules of Civil Procedure. It appears to the Court that Plaintiff has attempted but failed to personally serve Defendant Roy W. Smith at the last known usual place of abode or business. It further appears to the Court that the manner of service ordered herein will be reasonably effective to give said Defendant notice of the lawsuit. It is therefore,

ORDERED, ADJUDGED, and DECREED that the Motion for Substitute Service is **GRANTED**. It is further,

ORDERED, ADJUDGED, and DECREED that service of process may be made upon the Defendant, either: (1) by leaving a true copy of the citation, with a copy of the Original Petition and this Order authorizing substituted service attached, with anyone over sixteen (16) years of age at 2616 S. Loop W., Suite 670, Houston, Texas 77054; or (2) by firmly affixing a true copy of the citation, with a copy of the Original Petition and this Order authorizing substituted service attached, to the front door of Defendant's last known usual place of abode or business or wherever else he may be found.

It is further **ORDERED, ADJUDGED, and DECREED** that the service made by the above method shall not be deemed perfected unless it also complies with the following provisions:

- a) a copy of the citation, Original Petition and this Order shall be mailed by BOTH certified mail, return receipt requested, AND by regular mail to the Defendant at the same address at which service is authorized above;
- b) the return of service shall not be made until thirty (30) days after mailing or until the process server receives back the green card from the post office, whichever date is earlier;
- c) the return of service shall include a statement setting out the date of mailing and the result of the mailing by certified mail, and the date of mailing and result of same by regular mail (*i.e.*, whether the envelope was returned by the post office, the green card came back signed, etc.); and
- d) a copy of any envelope or green card returned by the post office shall be attached to the return of service.

It is further **ORDERED, ADJUDGED, and DECREED** that service of process will be deemed complete upon compliance with this **ORDER**, regardless of whether Defendant signs the certified mail receipt.

SIGNED _____, 2022.

Signed:
10/19/2022
6:32 PM



JUDGE PRESIDING