

NO. 2024-32087

STELLAR BANK, formally known as § IN THE DISTRICT COURT OF
ALLEGIANCE BANK §
v. §
DAVID L. PETTUS d/b/a § HARRIS COUNTY, TEXAS
THE PETTUS LAW FIRM §
§ 11th JUDICIAL DISTRICT

ORDER GRANTING MOTION FOR SUBSTITUTED SERVICE OF PROCESS

Pending before the Court is Plaintiff's Motion for Substituted Service Pursuant to Rule 106(b). It appears that Plaintiff has attempted but failed to personally serve Defendant DAVID L. PETTUS at the last known usual place of abode. 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.

Therefore, the Motion for Substitute Service is **GRANTED**.

It is **ORDERED** that service of process may be made upon Defendant DAVID L. PETTUS either by: (1) leaving a true copy of the citation, with a copy of the Petition and this Order authorizing substituted service attached, with anyone over sixteen (16) years of age at 425 Amanda Circle, Tiki Island, Texas 77544; or (2) firmly affixing a true copy of the citation, with a copy of the Petition and this Order authorizing substitute service attached, to the front door of said Defendant's last known usual place of abode at 425 Amanda Circle, Tiki Island, Texas 77544. It is further

ORDERED that the service made by the above methods shall not be deemed perfected unless it also complies with the following provisions, which shall be carried out by the same process server on the same day that delivery is made pursuant to (1) or (2) above:

- a) A copy of the citation, Petition, and this Order shall be mailed by BOTH certified mail, return-receipt requested, AND by regular, first-class 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, first-class 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** that the return of service of the person executing service pursuant to this Order shall otherwise be made in accordance with TEX. R. CIV. P. 107.

It is further **ORDERED** that service of process will be deemed complete upon compliance with this Order, regardless of whether defendant signs the certified mail receipt.

Signed _____, 2024

Signed:
6/24/2024



Judge Presiding