AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

FILED - LN
October 21, 2024 4:17 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: pjw / SCANNED BY: 10/22/24

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Sandra Jane Leach Garrett
2021 Hunterwood Drive
Brentwood, TN 37027

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: AUG 1 9 2024 ~~5 / 23 / 2024~~

Paula J. Wood
Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:23-cv-1097

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* SANDRA JANE LEACH GARRETT

was received by me on *(date)* August 21, 2024 .

☒ Other *(specify)*:

Service of defendant SANDRA JANE LEACH GARRETT was initiated on August 23, 2024, pursuant to F.R.Civ.P. 4(e)(1) and Mich. Ct. R. 2.105(A) by delivering to her the lawsuit service package as itemized in ECF 69 and 69-1 of this lawsuit, via certified U.S. mail with tracking number 70203160000230014797, return receipt requested, with delivery restricted to the addressee.

On August 26 the USPS reported, "Notice Left (No Authorized Recipient Available)", after which they attempted to deliver again on August 31, but were unsuccessful. Research of this case by the Linden Michigan Postmaster shows that this parcel is still *waiting* to be *picked-up* at the Post Office in Brentwood, Tennessee, over *six-weeks* after the initial delivery attempt, but to date defendant Garrett has neglected or refused to do so.

On September 4, 2024, a second lawsuit service package as itemized in ECF 69 and 69-1 of this lawsuit, was sent to defendant SANDRA JANE LEACH GARRETT, this time at her place of employment, via certified U.S. mail with tracking number 70203160000230017163, return receipt requested.

Since defendant Garrett is employed by a government entity, restricted delivery was not used this time, because it was unknown whether or not the mail carrier would have direct access to her. This package was delivered on September 9, 2024, at 1:01 PM and signed for by what looks like "Lani White".

Due to concerns about the overall evasiveness exhibited by *many* of the defendants in this lawsuit, while defendant Garrett's personal service of this lawsuit to her residence remained *unclaimed*, a third serve attempt of this lawsuit service package as itemized in ECF 69 and 69-1 of this lawsuit was sent to defendant SANDRA JANE LEACH GARRETT, this time at her place of employment again, but using *restricted delivery*, to ensure that the personal service requirements were fully satisfied. The certified U.S. mail tracking number this time was 70202450000036716232, with a return receipt again requested.

This package was successfully delivered on September 20, 2024, at 11:30 AM, and was signed for by an individual named "Molly Leins". Once again, somehow this parcel was received by someone *other* than the *addressee* clearly named, despite the package having been specifically sent with *restricted delivery*.

Brian Joseph Gallagher of Lennon Miller PLC made an appearance in this matter on behalf of defendant Garrett on September 17, 2024, with that then becoming the *deemed date of service* for defendant Garrett.

"(3) An action shall not be dismissed for improper service of process unless the service failed to *inform* the defendant of the action within the time provided in these rules for service." Rule 2.105(K)(3) - Process; Manner of Service, Mich. Ct. R. 2.105(K)(3).

In the spirit of Mich. Ct. R. 2.105(K)(3) above, the objective here was to err on the side of caution while completing service, since clearly the defendant must have been *informed* about this action prior to the *date of first appearance* of her counsel evidenced in the record.

I declare under penalty of perjury that this information is true.

Date: 10/19/2024

Marsha Ann Fenton
Server's signature

Marsha Ann Fenton
Printed name and title

17195 Silver Pkwy, #150, Fenton, MI 48430-3426
Server's address

DEFENDANT: SANDRA JANE LEACH GARRETT THIRD ATTEMPT — LAWSUIT DELIVERED: 9/20/2024 (DEEMED SERVED: 9/17/2024)

UNITED STATES POSTAL SERVICE.

LINDEN
215 S MAIN ST
LINDEN, MI 48451-9998
(800)275-8777

09/18/2024 09:10 AM

Product	Qty	Unit Price	Price
Priority Mail®	1		$14.25
Brentwood, TN 37027			
Weight: 3 lb 14.90 oz			
Expected Delivery Date			
Fri 09/20/2024			
Insurance			$0.00
Up to $100.00 included			
Restricted Del			$12.75
Recipient name			
SANDRA J GARRETT			
Tracking #:			
70202450000036716232			
Return Receipt			$4.10
Tracking #:			
9590 9402 8627 3244 0676 12			
Total			$31.10
Grand Total:			$142.60
Credit Card Remit			$142.60

Card Name: VISA
Account #: XXXXXXXXXXXX8359
Approval #: 808101
Transaction #: 341
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Not Required

UFN: 255460-0451
Receipt #: 840-54930036-3-6780830-2
Clerk: 06

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Brentwood, TN 37027

OFFICIAL USE

Certified Mail Fee $4.15 0151
Extra Services & Fees (check box, add fee as appropriate)
- [x] Return Receipt (hardcopy) $ $2.70
- [ ] Return Receipt (electronic) $ $12.75
- [x] Certified Mail Restricted Delivery $ $0.00
- [ ] Adult Signature Required $ $0.00
- [ ] Adult Signature Restricted Delivery $

Postage $14.25
Total Postage and Fees $31.10

Postmark Here
LINDEN, MI 48451
SEP 18 2024
09/18/2024

7020 2450 0000 3671 6232

SANDRA GARRETT
10 CADILLAC DR STE 220
BRENTWOOD, TN 37027-5078

Instructions

USPS TRACKING #
9590 9402 8627 3244 0676 12

NASHVILLE TN 370
20 SEP 2024 PM 6 L

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

17195 SILVER PKWY
PMB #150
FENTON, MI 48430-3426

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SANDRA GARRETT
10 CADILLAC DR STE 220
BRENTWOOD, TN 37027-5078

9590 9402 8627 3244 0676 12

2. Article Number (Transfer from service label)
7020 2450 0000 3671 6232

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x Molly Lewis
☐ Agent
☐ Addressee

B. Received by (Printed Name) MOLLY LEWIS
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- [x] Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ALERT: HURRICANE HELENE, FLOODING, AND SEVERE WEATHER IN THE SOUTHEASTER...

USPS Tracking®

FAQs >

COMPLETED

Remove ×

Tracking Number:

70202450000036716232

Copy **Add to Informed Delivery (https://informeddelivery.usps.com/)**

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 11:30 am on September 20, 2024 in BRENTWOOD, TN 37027.

Feedback

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

BRENTWOOD, TN 37027
September 20, 2024, 11:30 am

Out for Delivery

BRENTWOOD, TN 37027
September 20, 2024, 7:21 am

Arrived at Post Office

BRENTWOOD, TN 37027
September 20, 2024, 7:10 am

Arrived at USPS Regional Destination Facility

NASHVILLE TN DISTRIBUTION CENTER
September 19, 2024, 8:28 pm

In Transit to Next Facility
September 19, 2024

Arrived at USPS Regional Origin Facility
DETROIT MI DISTRIBUTION CENTER
September 18, 2024, 8:16 pm

Departed Post Office
LINDEN, MI 48451
September 18, 2024, 4:02 pm

USPS in possession of item
LINDEN, MI 48451
September 18, 2024, 9:09 am

Hide Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

Postal Product:	Features:	See tracking for related item:
Priority Mail®	Certified Mail Restricted Delivery Up to $100 insurance included. Restrictions Apply ⓘ	9590940286273244067612 (/go/TrackConfirmAction?tLabels=9590940286273244067612)

See Less

Track Another Package

Enter tracking or barcode numbers

Feedback

ALERT: HURRICANE HELENE, FLOODING, AND SEVERE WEATHER IN THE SOUTHEASTER...

USPS Tracking®

FAQs >

COMPLETED

Remove ×

Tracking Number:

9590940286273244067612

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered in or at the mailbox at 2:40 pm on September 23, 2024 in FENTON, MI 48430.

Feedback

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, In/At Mailbox
FENTON, MI 48430
September 23, 2024, 2:40 pm

Arrived at USPS Regional Destination Facility
PONTIAC MI DISTRIBUTION CENTER
September 22, 2024, 11:11 am

Arrived at USPS Regional Origin Facility
NASHVILLE TN DISTRIBUTION CENTER
September 20, 2024, 7:57 pm

USPS picked up item
BRENTWOOD, TN 37027
September 20, 2024, 11:31 am

Return Receipt Associated
September 18, 2024, 9:09 am

DEFENDANT: SANDRA JANE LEACH GARRETT

SECOND ATTEMPT — LAWSUIT DELIVERED: 9/09/2024 (DEEMED SERVED: 9/17/2024)

UNITED STATES POSTAL SERVICE.

LINDEN
215 S MAIN ST
LINDEN, MI 48451-9998
(800)275-8777

09/04/2024 10:06 AM

Product	Qty	Unit Price	Price
Priority Mail®	1		$14.25
Brentwood, TN 37027			
Weight: 3 lb 11.90 oz			
Expected Delivery Date			
Fri 09/06/2024			
Insurance			$0.00
Up to $100.00 included			
Certified Mail®			$4.85
Tracking #:			
70203160000230017163			
Return Receipt			$4.10
Tracking #:			
9590 9402 8627 3244 0677 59			
Total			$23.20

Grand Total: $72.30

Credit Card Remit $72.30
Card Name: VISA
Account #: XXXXXXXXXXXX8359
Approval #: 904060
Transaction #: 237
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Not Required

UFN: 255460-0451
Receipt #: 840-54930036-3-6764485-2
Clerk: 06

7020 3160 0002 3001 7163

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Brentwood, TN 37027

OFFICIAL USE

0451
06

Certified Mail Fee $4.85
$ $4.10
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) $ $0.00
☐ Return Receipt (electronic) $ $0.00
☐ Certified Mail Restricted Delivery $ $0.00
☒ Adult Signature Required $ $0.00
☐ Adult Signature Restricted Delivery $
Postage $14.25
$
Total Postage and Fees $23.20
$

Postmark Here
SEP 04 2024
09/04/2024
LINDEN

BOARD OF PROFESSIONAL RESPONSIBILITY
SANDRA GARRETT, EXECUTIVE DIRECTOR
10 CADILLAC DR STE 220
BRENTWOOD, TN 37027-5078

Instructions

USPS TRACKING #

NASHVILLE TN 370
9 SEP 2024 PM 4 L

9590 9402 8627 3244 0677 59

United States Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

17195 SILVER PKWY
PMB #150
FENTON, MI 48430-3426

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BOARD OF PROFESSIONAL RESPONSIBILITY
SANDRA GARRETT, EXECUTIVE DIRECTOR
10 CADILLAC DR STE 220
BRENTWOOD, TN 37027-5078

9590 9402 8627 3244 0677 59

2. Article Number (Transfer from service label)
7020 3160 0002 3001 7163

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Lani White ☐ Agent ☑ Addressee

B. Received by (Printed Name) Lani White C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ALERT: TROPICAL STORM FRANCINE, FLOODING, AND SEVERE WEATHER IN THE SOUTHERN U.S. M...

USPS Tracking®

FAQs >

COMPLETED

Remove ×

Tracking Number:

70203160000230017163

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 1:01 pm on September 9, 2024 in BRENTWOOD, TN 37027.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room
BRENTWOOD, TN 37027
September 9, 2024, 1:01 pm

Redelivery Scheduled for Next Business Day
BRENTWOOD, TN 37027
September 7, 2024, 11:08 am

Out for Delivery
BRENTWOOD, TN 37027
September 7, 2024, 8:23 am

Arrived at Post Office
BRENTWOOD, TN 37027
September 7, 2024, 8:12 am

Arrived at USPS Regional Destination Facility
NASHVILLE TN DISTRIBUTION CENTER
September 6, 2024, 10:04 pm

In Transit to Next Facility
September 6, 2024

Feedback

Arrived at USPS Regional Origin Facility
DETROIT MI DISTRIBUTION CENTER
September 5, 2024, 12:08 pm

Departed Post Office
LINDEN, MI 48451
September 4, 2024, 4:02 pm

USPS in possession of item
LINDEN, MI 48451
September 4, 2024, 10:02 am

Hide Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

USPS Tracking Plus®

Product Information

Postal Product:	Features:	See tracking for related item:
Priority Mail®	Certified Mail™ Up to $100 insurance included. Restrictions Apply	9590940286273244067759 (/go/TrackConfirmAction?tLabels=9590940286273244067759)

Feedback

See Less

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

USPS Tracking®

FAQs >

COMPLETED

Remove ×

Tracking Number:

9590940286273244067759

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered in or at the mailbox at 1:59 pm on September 12, 2024 in FENTON, MI 48430.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivered
Delivered, In/At Mailbox
FENTON, MI 48430
September 12, 2024, 1:59 pm

Arrived at USPS Regional Destination Facility
PONTIAC MI DISTRIBUTION CENTER
September 11, 2024, 11:24 am

Arrived at USPS Regional Origin Facility
NASHVILLE TN DISTRIBUTION CENTER
September 9, 2024, 9:49 pm

USPS picked up item
BRENTWOOD, TN 37027
September 9, 2024, 1:02 pm

Return Receipt Associated
September 4, 2024, 10:02 am

Hide Tracking History

DEFENDANT: SANDRA JANE LEACH GARRETT FIRST SERVICE ATTEMPT REFUSED SERVICE

UNITED STATES POSTAL SERVICE.

LINDEN
215 S MAIN ST
LINDEN, MI 48451-9998
(800)275-8777

08/23/2024 04:29 PM

Product	Qty	Unit Price	Price
Priority Mail®	1		$14.25
Brentwood, TN 37027			
Weight: 3 lb 10.20 oz			
Expected Delivery Date			
Mon 08/26/2024			
Insurance			$0.00
Up to $100.00 included			
Restricted Del			$12.75
Recipient name			
SANDRA GARRETT			
Tracking #:			
70203160000230014797			
Return Receipt			$4.10
Tracking #:			
9590 9402 8627 3244 0684 04			
Total			$31.10

Grand Total: $62.20

Credit Card Remit $62.20
Card Name: VISA
Account #: XXXXXXXXXXXX8359
Approval #: 513292
Transaction #: 665
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Not Required

UFN: 255460-0451
Receipt #: 840-54930036-1-5522121-2
Clerk: 6

7020 3160 0002 3001 4797

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Brentwood, TN 37027

OFFICIAL USE

Certified Mail Fee $ $4.10
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) $ $10.00
☐ Return Receipt (electronic) $
☒ Certified Mail Restricted Delivery $ $12.75
☐ Adult Signature Required $
☐ Adult Signature Restricted Delivery $
Postage $
Total Postage and Fees $

LINDEN, MI 48451
Postmark Here
AUG 23 2024
USPS

SANDRA GARRETT
2021 HUNTERWOOD DR
BRENTWOOD, TN 37027-5421

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

REFUSED

ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN NORT...

USPS Tracking®

FAQs >

UNCLAIMED—REFUSED

Remove ×

Tracking Number:

70203160000230014797

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

WAITING OVER SIX-WEEKS TO BE PICKED-UP

Feedback

Delivery Attempt
Reminder to Schedule Redelivery of your item
August 31, 2024

Notice Left (No Authorized Recipient Available)
BRENTWOOD, TN 37027
August 26, 2024, 12:27 pm

Out for Delivery
BRENTWOOD, TN 37027
August 26, 2024, 6:23 am

Arrived at Post Office
BRENTWOOD, TN 37027
August 26, 2024, 6:12 am

In Transit to Next Facility
August 25, 2024

Arrived at USPS Regional Destination Facility

10/19/2024, 6:31 PM

NASHVILLE TN DISTRIBUTION CENTER
August 24, 2024, 6:17 pm

Arrived at USPS Regional Origin Facility
DETROIT MI DISTRIBUTION CENTER
August 24, 2024, 1:09 am

Arrived at USPS Regional Facility
PONTIAC MI DISTRIBUTION CENTER
August 23, 2024, 11:19 pm

Departed USPS Facility
LINDEN, MI 48451
August 23, 2024, 5:04 pm

Departed Post Office
LINDEN, MI 48451
August 23, 2024, 5:02 pm

USPS in possession of item
LINDEN, MI 48451
August 23, 2024, 4:24 pm

Feedback

Hide Tracking History

What Do USPS Tracking Statuses Mean? **(https://faq.usps.com/s/article/Where-is-my-package)**

Text & Email Updates

USPS Tracking Plus®

Product Information

Postal Product:	**Features:**	**See tracking for related item:**
Priority Mail®	Certified Mail Restricted Delivery Up to $100 insurance included. Restrictions Apply ⓘ	**9590940286273244068404 (/go/TrackConfirmAction?tLabels=9590940286273244068404)**

See Less