

**MOTION FOR SUBSTITUTE SERVICE
(RULE 106)**

All motions for substituted service under Rule 106 must be accompanied by an affidavit that includes the following information:

1. all efforts taken to verify that defendant actually lives or works at the subject address;
2. each attempt at service, with date(s) and time(s);
3. identity of persons who were present at the subject address and what was said; and
4. a printout of some public record or PublicData.com or similar online database confirming that the person to be served actually resides at the address at which service is being attempted.

This can also include a statement identifying license plates of cars in the driveway and attaching a printout of license plates registered to the person to be served. Statements by neighbors or by people residing in the abode must include the full name of the person and a description. The idea is to give the court some assurance that the person resides at that address.

Any Rule 106 Motion should be accompanied by the attached proposed form order. Failure to do so may delay the court's granting of an otherwise proper motion.

(source: <https://www.justex.net/Courts/Civil/CourtSection.aspx?crt=10&sid=40>)

CAUSE NO. < CaseNum >

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IN THE DISTRICT COURT
134TH JUDICIAL DISTRICT
DALLAS COUNTY, TEXAS

ORDER GRANTING 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 the Defendant, Perry the Platypus 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, Perry the Platypus, either: (1) by 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, 221B Baker Street, Dallas, Texas 75202; or (2) by 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 Defendant's last known usual place of abode or business at the above address.

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:

1. a copy of the citation, 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;
2. the return of service shall not be made until 30 days after mailing or until the process server receives back the green card from the post office, whichever date is earlier;
3. 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
4. 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 the return of service of the person executing service pursuant to this Order shall otherwise be made in accordance with Rule 107, Texas Rules of Civil Procedure.

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 on July 4, 1776 .

Dale B. Tillery, Presiding
Judge, 134th Judicial District Court