

MEMO ENDORSED**MEMO ENDORSED****MEMO ENDORSED**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECEIVED
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2019 SEP -6 AM 10:52

MATTHEW STEPHEN SHEPLER,
Plaintiff,

-against-

MICHAEL COLLURA,
Defendant.

Case No. 1:17-cv-10254 (ER) (OTW)
Complaint Filed: December 28, 2017

**NOTICE OF MOTION FOR EXTENDED
TIME FOR SERVICE OF SUMMONS AND
COMPLAINT PURSUANT TO FED. R. CIV.
P. 4 (m)**

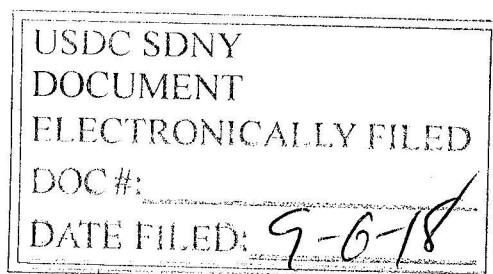
**NOTICE OF MOTION FOR EXTENDED TIME FOR SERVICE OF SUMMONS AND
COMPLAINT PURSUANT TO FED. R. CIV. P. 4 (m)**

PLEASE TAKE NOTICE that upon the attached affidavit(s) and affirmation(s) of Matthew Stephen Shepler, affirmed under penalty of perjury on the date of September 05, 2018, and upon the complaint herein, Plaintiff will move this Court, Hon. Judge Edgardo Ramos, in Courtroom # 619, Thurgood Marshall United States Courthouse, 40 Foley Street on the date of Tuesday, September 25, 2018 at 09:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Fed. R. Civ. P. 4 (m) granting Plaintiff an extended time for service of summons and complaint.

Dated: September 05, 2018
New York, New York

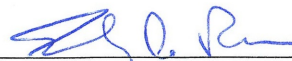
Matthew Shepler
MATTHEW STEPHEN SHEPLER

90 Church Street
P.O. Box # 1188
New York, NY 10008-1188, U.S.
(857) 600-2448
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TO: Evan F. Jaffe
Assistant Corporation Counsel
The City of New York Law Department
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evjaffe@law.nyc.gov

The Court GRANTS Plaintiff's motion. Plaintiff has until Oct. 31, 2018 to effect service on Defendants.



Edgardo Ramos, U.S.D.J

Dated: 10/4/2018

New York, New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SERVICE OF SUMMONS AND
COMPLAINT PURSUANT TO FED. R. CIV.
P. 4 (m)**

**MOTION FOR EXTENDED TIME FOR SERVICE OF SUMMONS AND COMPLAINT
PURSUANT TO FED. R. CIV. P. 4 (m)**

Plaintiff, Matthew Stephen Shepler, by and through himself as a self-represented litigant pursuant to Fed. R. Civ. P. 4 (m), Fed. R. Civ. P. 6 (b) (1) (B), and Fed. R. Civ. P. 7 (b) (1) hereby moves this Court for an Order granting Plaintiff an extended time for service of summons and complaint.

In support of this Motion, Plaintiff, Matthew Stephen Shepler filed his Complaint (ECF No. 17) on the date of May 24, 2018 and United States Marshals Service (USMS) attempted service of summons on the dates of June 06, 2018 July 17, 2018 and July 20, 2018 (See Docket Report entry #s: 26). Notes were left on the USMS Process Receipt and Return requesting that plaintiff set up for mail service, as the defendant was unable to be served (ECF No. 26). Electronic Case Filing (ECF) No. 26. On the date of August 29, 2018 Evan F. Jaffe filed a Notice of Appearance on behalf of defendant, Michael Collura (Jaffe, Aff. (Evan F. Jaffe's Pleading

(Pleading) (ECF No 33))).

WHEREFORE, the Plaintiff moves this Court to enter an Order in favor of Plaintiff, Matthew Stephen Shepler for the relief sought in the foregoing, as well as the subsequent affidavit in support thereof.

Dated: September 05, 2018
New York, New York



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AFFIDAVIT

State of New York
County of New York

I, the undersigned, a self-represented litigant in civil actions for an “indigent civil litigant,” affirm under penalty of perjury that in the within action; I have read the foregoing **MOTION FOR EXTENDED TIME FOR SERVICE OF SUMMONS AND COMPLAINT PURSUANT TO FED. R. CIV. P. (4) (m)** and know the contents thereof; the same is true to my knowledge, except as to the matters I believe to be true. The grounds of my belief as to all matters stated upon my own knowledge are the materials in my file and the investigation(s) therein—civil action for the deprivation of rights.

Dated: September 05, 2018
New York, New York


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