**CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

|  |  |  |
| --- | --- | --- |
|  | § | **IN THE DISTRICT COURT** |
| ***Plaintiff*** | § |  |
|  | § |  |
| ***vs*** | § | **OF HARRIS COUNTY, TX** |
|  | § |  |
|  | § |  |
| ***Defendant*** | § | **190th JUDICIAL DISTRICT** |

**ORDER GRANTING MOTION FOR SUBSTITUTE SERVICE**

**ON THIS DAY**, The Court considered Plaintiff’s Motion for Substitute Service under Texas Rules of Civil Procedure 106. It appears that Plaintiff has attempted but failed to personally serve the Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at the Defendant’s last known usual place of abode or business. It further appears to the Court that the matter of service ordered herein will be reasonably effective to give said Defendant notice of the lawsuit. It is therefore,

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

**ORDERED**, that service of process may be made on Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, either by:

1. leaving a copy of the citation together with a copy of Plaintiff’s Original Petition and Discovery and this Order authorizing substitute service attached to anyone over the age of sixteen (16) years of age at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_; or
2. by firmly affixing a true copy of the citation together with a copy of Plaintiff’s Original Petition and Discovery and this Order authorizing substitute service attached to the front door of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

It is further **ORDERED** that*, if service is made by either of the above methods*, service shall comply with all of the following provisions:

1. a copy of the citation, petition and this Order shall be mailed by **BOTH** certified mail, return receipt requested, and regular first class 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 is earlier;
3. the return of service shall include a statement setting out the date of mailing and the result of mailing by certified mail and the date of mailing and the result of mailing regular mail (i.e., whether the envelope was returned by the post office, or the green card came back signed, or whatever happened as a result of the mailing); and
4. the executed green card or copy of any envelope returned by the post office shall be attached to the return of citation.

The return of service of the person executing service pursuant to this order shall otherwise be made in accordance with Rules 16 and 107 of the Texas Rules of Civil Procedure.

Service will be complete upon compliance with this order regardless of whether Defendant signs the certified mail receipt.

SIGNED DAY OF , 201\_

JUDGE PRESIDING