UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v. **Case No: 5:21-cv-343-BJD-PRL**

FRANK ROMERO,

Defendant.

ORDER

Before the Court is the Plaintiff Federal Trade Commission's ("FTC") motion for appointment of a process server. (Doc. 74). On August 28, 2023, the Clerk issued a Writ of Garnishment to Paypal, Inc. (Doc. 68) and on September 25, 2023, the Clerk issued a Writ of Garnishment to Electronic Merchant Systems. (Doc. 73). The FTC now requests that the court appoint Black Diamond Process Service to serve the Writs on Defendant Frank Romero, as well as any future process that requires service on Mr. Romero under Rule 4.1(a).

Pursuant to Rule 4.1(a) of the Federal Rules of Civil Procedure, "[p]rocess—other than a summons under Rule 4 or a subpoena under Rule 45—must be served by a United States marshal or deputy marshal or by a person specially appointed for that purpose." The United States Marshal has already made three unsuccessful attempts at service. Given the limited resources and time constraints of the United States Marshal, Plaintiff requests the appointment of a special process server.

Upon due consideration, the FTC's motion (Doc. 74) is **GRANTED**. *See Sumner v. Garner*, No. 6:18-CV-40-ORL-28GJK, 2019 WL 6716193, at *2 (M.D. Fla. Dec. 9, 2019) (granting the request to appoint a special process server to serve a writ of garnishment);

Francois v. Washmonbo, Inc., No. 05-23368-CIV, 2008 WL 2694752, at *2 (S.D. Fla. July 8, 2008) (appointing special process server to serve writ of garnishment). The court appoints any agent or employee of Black Diamond Process Service, who is otherwise legally permitted to effectuate service of process, as special process server to serve the Writs of Garnishment on Frank Romero (Docs. 68, 71), and any future process that requires service on Mr. Romero under Rule 4.1(a).

DONE and **ORDERED** in Ocala, Florida on November 13, 2023.

P. Lammens

PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties