

Local Form 440 (12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

NORTHERN District of ATLANTA

HECTOR PÁEZ JIMENEZ

Plaintiff

v.

DAVID HERRERA and PATRICIA CORTINA

Defendant

Civil Action No.

1 10-CV-1833

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Patricia Cortina
2603 Woodland Drive NW
Kennesaw, Georgia 30152

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:

Kevin D. Fitzpatrick, Jr. and Charles R. Bridgers
DeLong, Caldwell & Bridgers
3100 Centennial Tower
101 Marietta Street
Atlanta, GA 30303

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.

JAMES N. HATTEN
CLERK OF COURT

Signature of Clerk or Deputy Clerk

Date: JUN 15 2010

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Civil Action No.

**PROOF OF SERVICE**

*(This section must be filed with the court unless exempted by Fed. R. Civ. P. 4 (l).)*

This summons for *(name of individual and title, if any)* Patricia Cortina  
was received by me on *(date)* 6.25.10.

I personally served the summons on the individual at *(place)* 2603 Woodland Drive  
Kennesaw Ga. 30152 on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* David Herrera  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* 6.25.10 @ 7:15A, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

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

Date: 6.25.10

Comer Williams  
\_\_\_\_\_  
*Server's signature*

Comer Williams Process Server  
\_\_\_\_\_  
*Printed name and title*

P.O. Box 3244 Atlanta Ga. 30302  
\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: