

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

FILED - LN
October 21, 2024 4:17 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: piw / SCANNED BY: 10/21/24

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*
John Brandon Coke
4324 Barnes Cove Drive
Nashville, TN 37211

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:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

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.

AUG 19 2024

Date: 5/23/2024

CLERK OF COURT

Paula J. Wood
Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)*

JOHN BRANDON COKE

was received by me on *(date)*

August 21, 2024

Other *(specify)*:

Service of defendant JOHN BRANDON COKE was initiated pursuant to F.R.Civ.P. 4(e)(1) and Mich. Ct. R. 2.105(A) by delivering to him the lawsuit service package as itemized in ECF 69 and 69-1 of this lawsuit, via certified U.S. mail with tracking number 70202450000036715181, return receipt requested, with delivery restricted to the addressee.

On August 26 the USPS reported, "No Access to Delivery Location". The following day on August 27th, the USPS reported, "Notice Left (No Authorized Recipient Available)", after which no one claimed the package. On September 1, 2024, the USPS reported sending defendant Coke a reminder about the package, urging him to contact them to reschedule delivery, though ultimately defendant Coke failed or refused to do so. That package was returned to us in Michigan on October 5th, 2024.

On September 4, 2024, a second lawsuit service package as itemized in ECF 69 and 69-1 of this lawsuit, was sent to defendant JOHN BRANDON COKE, this time at his place of employment, via certified U.S. mail with tracking number 70202450000036715846, return receipt requested.

Since defendant Coke is employed by a government entity, *restricted delivery* was not used this time, because it is unknown whether or not the mail carrier would have direct access to him. This package was delivered on September 7th, 2024, at 12:35 PM and signed for using some sort of employee identification number or other codified descriptor by which to maintain internal controls while concealing the personal identity of the individual who received the mail.

Brian Joseph Gallagher of Lennon Miller PLC made an appearance in this matter on behalf of defendant Coke on September 17. Since I am unable to determine the precise date and time defendant Coke received service from whomever received the mail at his office, defendant Coke is deemed served as of the *date of first appearance* in this matter, that being on September 17, 2024, though he likely received service weeks earlier.

"(3) An action shall not be dismissed for improper service of process unless the service failed to *inform* the defendant of the action within the time provided in these rules for service." Rule 2.105(K)(3) - Process; Manner of Service, Mich. Ct. R. 2.105(K)(3).

In the spirit of Mich. Ct. R. 2.105(K)(3) above, the objective here was to err on the side of caution while completing service, since clearly the defendant must have been *informed* about this action prior to the date of *first appearance* of his counsel evidenced in the record.

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

Date: 10/19/2024

Marsha Ann Fenton

Server's signature

Marsha Ann Fenton


Printed name and title

17195 Silver Pkwy, #150, Fenton, MI 48430-3426

Server's address

DEFENDANT: JOHN BRANDON COKE

SECOND ATTEMPT— LAWSUIT DELIVERED: 9/07/2024 (DEEMED SERVED: 9/17/2024)



LINDEN
215 S MAIN ST
LINDEN, MI 48451-9998
(800)275-8777

09/04/2024 10:06 AM

Product	Qty	Unit Price	Price
Priority Mail®	1		\$14.25
Nashville, TN 37219			
Weight: 3 lb 12.00 oz			
Expected Delivery Date			
Fri 09/06/2024			
Insurance			\$0.00
Up to \$100.00 included			
Certified Mail®			\$4.85
Tracking #:			
→ 70202450000036715846			
Return Receipt			\$4.10
Tracking #:			
9590 9402 8627 3244 0677 66			
Total			\$23.20
Grand Total:			\$72.30
Credit Card Remit			\$72.30
Card Name: VISA			
Account #: XXXXXXXXXXXXX8359			
Approval #: 904060			
Transaction #: 237			
AID: A0000000031010		Chip	
AL: VISA CREDIT			
PIN: Not Required			

UFN: 255460-0451
Receipt #: 840-54930036-3-6764485-2
Clerk: 06

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

No. of Pieces: TN 37219

OFFICIAL USE

Certified Mail Fee	\$4.85
Extra Services & Fees (check box, add fee as appropriate)	\$4.10
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$4.10
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input checked="" type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$14.25
Total Postage and Fees	\$23.20

Postmark Here: SEP 04 2024 LINDEN, MI 48451

ADMINISTRATIVE OFFICE OF THE COURTS
GENERAL COUNSEL JOHN COKE
511 UNION STREET, SUITE 600
NASHVILLE, TN 37219-1768

USPS TRACKING# 9590 9402 8627 3244 0677 66

NASHVILLE TN 370

SEP 10 2024 PM 6 L

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

17195 SILVER PKWY
PMB #150
FENTON, MI 48430-3426

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery <i>9-7-24</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>ADMINISTRATIVE OFFICE OF THE COURTS GENERAL COUNSEL JOHN COKE 511 UNION STREET, SUITE 600 NASHVILLE, TN 37219-1768</p> <p>9590 9402 8627 3244 0677 66</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
7020 2450 0000 3671 5846	

ALERT: TROPICAL STORM FRANCINE, FLOODING, AND SEVERE WEATHER IN THE SOUTHERN U.S. M...

USPS Tracking®

FAQs >

COMPLETED

Tracking Number:

Remove X

70202450000036715846

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 12:35 pm on September 7, 2024 in NASHVILLE, TN 37219.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

NASHVILLE, TN 37219

September 7, 2024, 12:35 pm

Out for Delivery

NASHVILLE, TN 37219

September 7, 2024, 7:51 am

Arrived at Post Office

NASHVILLE, TN 37202

September 7, 2024, 7:40 am

Arrived at USPS Regional Destination Facility

NASHVILLE TN DISTRIBUTION CENTER

September 6, 2024, 10:04 pm

In Transit to Next Facility

September 6, 2024

Arrived at USPS Regional Origin Facility

DETROIT MI DISTRIBUTION CENTER

September 5, 2024, 12:21 pm

Feedback

DEFENDANT: JOHN BRANDON COKE

SECOND ATTEMPT— LAWSUIT DELIVERED: 9/07/2024 (DEEMED SERVED: 9/17/2024)

Departed Post Office

LINDEN, MI 48451
September 4, 2024, 4:02 pm

USPS in possession of item

LINDEN, MI 48451
September 4, 2024, 10:05 am

Hide Tracking History

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



Postal Product: Certified Mail™
Priority Mail® Up to \$100 insurance included. Restrictions Apply ⓘ

See tracking for related item:
9590940286273244067766 (/go/
TrackConfirmAction?
tLabels=9590940286273244067766)

See Less ^

Feedback

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

USPS Tracking®

[FAQs >](#)

COMPLETED

Tracking Number:

[Remove X](#)

9590940286273244067766

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered in or at the mailbox at 1:59 pm on September 12, 2024 in FENTON, MI 48430.

Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Delivered

Delivered, In/At Mailbox

FENTON, MI 48430

September 12, 2024, 1:59 pm

Arrived at USPS Regional Facility

PONTIAC MI DISTRIBUTION CENTER

September 11, 2024, 10:35 am

Arrived at USPS Regional Facility

NASHVILLE TN DISTRIBUTION CENTER

September 9, 2024, 8:28 pm

Return Receipt Associated

September 4, 2024, 10:05 am

[Hide Tracking History](#)

[Feedback](#)

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

DEFENDANT: JOHN BRANDON COKE

FIRST SERVICE ATTEMPT

REFUSED SERVICE



**UNITED STATES
POSTAL SERVICE.**

FENTON
 210 S LEROY ST
 FENTON, MI 48430-9998
 (800)275-8777

08/24/2024 02:06 PM

Product	Qty	Unit Price	Price
Priority Mail®	1		\$14.25
Nashville, TN 37211 Weight: 3 lb 10.60 oz Expected Delivery Date Mon 08/26/2024			
Insurance			\$0.00
Up to \$100.00 included			
Restricted Del			\$12.75
Recipient name JOHN COKE			
Tracking #: ✗ → 70202450000036715181			
Return Receipt			\$4.10
Tracking #: 9590 9402 8627 3244 0682 51			
Total			\$31.10

Grand Total: \$200.20

Credit Card Remit \$200.20

Card Name: VISA
 Account #: XXXXXXXXXXXX8359
 Approval #: 314260
 Transaction #: 188
 AID: A0000000031010 Chip
 AL: VISA CREDIT
 PIN: Not Required


UFN: 253200-0431
 Receipt #: 840-54930020-3-6269723-1
 Clerk: 05

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$4.10
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$12.75
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$14.25
Total Postage and Fees	\$31.10



Postmark Here

JOHN BRANDON COKE
4324 BARNES COVE DR
NASHVILLE TN 37211-7150

PSN 7530-02-000-9047 See Reverse for Instructions

REFUSED



PRESS FIRMLY TO SEAL

DATES | **PRIORITY**

PRIORITY MAIL
POSTAGE PAID

U.S. POSTAGE PAID
PM
FENTON, MI 48430
AUG 24, 2024

\$31.10

S2324H504270-05

Retail



37211

RDC 03

FROM:

**17195 SILVER PKWY
PMB #150
FENTON, MI 48430-3426**

Handwritten in blue ink: CN 8/27

TO:

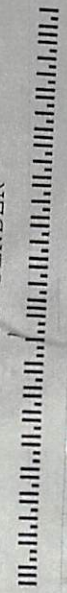
**JOHN BRANDON COKE
4324 BARNES COVE DR
NASHVILLE TN 37211-7150**

R-T-S- 37211-RFS-IN

10/02/24

*** R F S ***

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER



VISIT
ORD

Handwritten in blue ink: RE-DELIVER

COM

ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN THE SOU...

USPS Tracking®

FAQs >

UNCLAIMED—RETURNED

Tracking Number:

Remove X

70202450000036715181

Copy

Add to Informed Delivery (<https://informeddelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 1:20 pm on October 5, 2024 in FENTON, MI 48430.

Feedback

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

FENTON, MI 48430

October 5, 2024, 1:20 pm

Arrived at USPS Facility

FENTON, MI 48430

October 5, 2024, 6:28 am

Departed USPS Facility

FLINT, MI 48502

October 5, 2024, 5:31 am

Arrived at USPS Facility

FLINT, MI 48502

October 5, 2024, 3:37 am

Departed USPS Regional Facility

DETROIT MI DISTRIBUTION CENTER

October 5, 2024, 2:08 am

DEFENDANT: JOHN BRANDON COKE

FIRST SERVICE ATTEMPT

REFUSED SERVICE

of 11

Arrived at USPS Regional Facility

DETROIT MI DISTRIBUTION CENTER
October 4, 2024, 4:58 pm

Departed USPS Facility

INDIANAPOLIS, IN 46219
October 3, 2024, 3:53 pm

Arrived at USPS Facility

INDIANAPOLIS, IN 46219
October 3, 2024, 12:48 pm

Departed USPS Regional Facility

NASHVILLE TN DISTRIBUTION CENTER
October 3, 2024, 6:29 am

Reminder to Schedule Redelivery of your item

September 1, 2024

Notice Left (No Authorized Recipient Available)

NASHVILLE, TN 37211
August 27, 2024, 3:57 pm

No Access to Delivery Location

NASHVILLE, TN 37211
August 26, 2024, 5:03 pm

Out for Delivery

NASHVILLE, TN 37211
August 26, 2024, 8:30 am

Arrived at Post Office

NASHVILLE, TN 37211
August 26, 2024, 8:19 am

Arrived at USPS Regional Destination Facility

NASHVILLE TN DISTRIBUTION CENTER
August 26, 2024, 12:03 am

In Transit to Next Facility

August 25, 2024

DEFENDANT: JOHN BRANDON COKE

FIRST SERVICE ATTEMPT

REFUSED SERVICE

of 11

- **Arrived at USPS Regional Facility**
PONTIAC MI DISTRIBUTION CENTER
August 24, 2024, 6:16 pm
- **Departed USPS Facility**
FLINT, MI 48502
August 24, 2024, 5:16 pm
- **Departed USPS Facility**
FENTON, MI 48430
August 24, 2024, 3:20 pm
- **Departed Post Office**
FENTON, MI 48430
August 24, 2024, 3:14 pm
- **USPS in possession of item**
FENTON, MI 48430
August 24, 2024, 1:49 pm
- **Hide Tracking History**

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



Postal

Product:
Priority
Mail®

Features:

Certified Mail Restricted Delivery
Up to \$100 insurance included. Restrictions Apply ⓘ

See tracking for related item:

9590940286273244068251
(/go/TrackConfirmAction?
tLabels=9590940286273244068251)

See Less ^