

IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO

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File stamp

Plaintiff(s)

Case No. \_\_\_\_\_

vs.

Defendant(s)

Precipe for Service of Process in Civil Case (long form)

To the Clerk: Please, serve by the method shown [ ] summons and the complaint [ ] on [ ] each defendant / third-party defendant [ ]

1. Service by Mail.

[ ] JA. Certified Mail. The clerk shall place a copy of the process and complaint or other document to be served in an envelope addressed to the person to be served at the address set forth in the complaint or as below shown, affix adequate postage, and place the sealed envelope in U.S. mail as certified mail return receipt requested, signed by any person accepting delivery, with instructions to the delivering postal worker to show to whom delivered, date of delivery, and address where delivered. If returned unclaimed or refused, notify, by mail/email, the attorney of record, or if none, the party requesting service, enter the fact of notification on the appearance docket, and issue ordinary mail service. CivR4.1(A) & (C), R.C. § 1923.06.

[ ] JB. Ordinary Mail. (Required in F.E.D. action, otherwise effective only if certified/express mail is unclaimed or refused). The clerk shall send by ordinary mail a copy of the summons and complaint or other document to the defendant at the address set forth in the caption, or at the other address set forth herein. The clerk shall complete and file a certificate of mailing. Answer day shall be twenty-eight days after the date of mailing per the certificate of mailing. The clerk shall endorse the answer date on the summons. Service is complete when the fact of mailing is entered of record, except as shown. If certified mail is returned unclaimed and ordinary mail is returned by Post Office endorsed showing failure of delivery, service is not complete and the Clerk shall notify attorney of record, or if none, the party requesting service. CivR4.6, R.C. § 1923.06.

2. Service by Bailiff / Sheriff (not Delaware Co.)/ Process Server.

[ ] JA. Personal Service. The clerk shall deliver process and complaint, or other document to be served, with copies to the bailiff, process server designated by the court in this case, or the sheriff if the county is other than Delaware in which the party to be served resides or may be found. The server shall find and tender process and accompanying documents to the person, endorse that fact on a copy thereof, and return it to the clerk who shall make appropriate entry on the appearance docket. A server unable to serve process within 28 days shall endorse the reasons therefor on the process and return it to the clerk who shall make the appropriate entry on the appearance docket. In the event of failure of service, the clerk shall follow the notification procedure above set forth. CivR 4.1(B).

[ ] JB. Residence service. The server shall leave a copy of the process and other document(s) to be served, at the usual place of residence of the person to be served with a person of suitable age and discretion then residing therein. The clerk shall issue process and the server shall return it in the same manner as for personal service. A server unable to serve process within 28 days shall endorse reasons therefor on the process, and return it to the clerk, in which event the clerk shall follow the notification procedure above set forth. CivR. 4.1(C).

[ ] JC. Post on Door (F.E.D. actions only). The clerk shall deliver copies of summons, complaint, document, or other process to be served to bailiff or other process server designated by the court. The server shall effect service at premises that are subject of the action by: tendering copy of summons, complaint, document, or other process to the person to be served; or by leaving copy of the summons, complaint, document, or other process with person of suitable age and discretion at the premises if person to be served cannot be found at the time of the attempt to serve summons; or by posting a copy in a conspicuous place on the subject premises if service cannot otherwise be made. Within 5 days after receiving the summons, complaint, document, or other process from the clerk, the server shall return it to the clerk indicating on the process the service method used. The clerk shall make appropriate entry on the appearance docket. R.C. § 1923.06(E).

[ ] J3. Serve at Alternate Address. Serve at the following address (service will be to address on pleadings if this space is blank).

\_\_\_\_\_

Court costs vary per local rule according to type of service. Per Civil Rule 4.2, business entities may be served by any approved method at any of the usual places of business or by serving an officer, managing or general agent, partner, LLC member, or agent appointed to receive service.

These instructions are submitted by [ ] Plaintiff [ ] Defendant [ ] Attorney for Plaintiff / Defendant

X \_\_\_\_\_

Print name \_\_\_\_\_ SupCt. ID No. \_\_\_\_\_

Address \_\_\_\_\_

phone \_\_\_\_\_ email \_\_\_\_\_

CvW Msc Precipe Service long form Rev.wpd 1218080124 Ver. 26Jun24 © 2011 K. Pelanda