

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RICHARD HOPKINS, ET AL.,)	
)	
PLAINTIFFS)	
)	
v.)	CIVIL No. 1:13-cv-229-DBH
)	
DAVID CLARONI,)	
)	
DEFENDANT)	

**ORDER ON PLAINTIFFS' OBJECTION TO ORDER
GRANTING MOTION TO DISMISS**

The plaintiffs' objection to my Order dismissing the defendant McLellan for lack of service of process is **OVERRULED**. Despite the efforts the plaintiffs recount, they have not filed a waiver of service signed by the defendant, necessary to service by mail under Federal Rule of Civil Procedure 4(d), and the sheriff's deputy whom they engaged to serve process under Rule 4(e) did not actually serve the defendant as required by that Rule.

SO ORDERED.

DATED THIS 26TH DAY OF FEBRUARY, 2014

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (BANGOR)
CIVIL DOCKET NO. 1:13-cv-229-DBH**

Richard Hopkins

and

James Hopkins,

Plaintiffs

v.

David Claroni, *Officer*

Defendant

Represented By Richard Hopkins, Pro Se
James Hopkins, Pro Se
105 Damon Ridge Road
Charlotte, ME 04666

Represented By John J. Wall , III
Monaghan Leahy, LLP
P. O. Box 7046
Portland, ME 04112-7046
(207) 774-3906
email: jwall@monaghanleahy.com