

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

<b>YANIRA YESENIA OLDAKER, <i>et al.</i>,</b>  <b>Plaintiffs,</b>  <b>v.</b>  <b>THOMAS P. GILES, <i>et al.</i>,</b>  <b>Defendants.</b>	: : : : : : : : : :	<b>CASE NO: 7:20-cv-224 (WLS)</b>
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**ORDER**

Previously, the Court granted Plaintiffs an extension of time through November 29, 2023, within which to serve Defendant Janet Vaughn with the Second Amended Complaint. (Doc. 347) Plaintiffs were further ordered to file proof of such service on or before December 6, 2023. (*Id.*) When the docket reflected that Plaintiffs failed to comply with the Court's order, the Court ordered Plaintiffs to show cause why the Second Amended Complaint should not be dismissed as to Defendant Janet Vaughn for failure to serve Defendant Vaughn on or before November 29, 2023. Plaintiffs timely responded indicating that Defendant Vaughn was served with the summons and complaint by the Irwin County Sheriff's Office on November 17, 2023, and that Plaintiffs' counsel received proof of service from the Irwin County Sheriff's Office on December 13, 2023.<sup>1</sup> Plaintiffs further show that on November 20, 2023, Defendant Vaughn, along with other Individual ICDC Defendants,<sup>2</sup> filed a Motion to Dismiss the Second Amended Complaint. (Doc. 349) Defendant Vaughn did not raise insufficiency of service in her Motion.

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<sup>1</sup> The Plaintiffs do not indicate whether they had previously requested proof of service from the Irwin County Sheriff's Office. In any event, the Plaintiffs could have—and should have—obtained and filed the proof of service by the deadline of December 6, 2023, or filed a report stating the basis for their inability to comply with the Court's order. Such action would have prevented the necessity of entering the show cause order. The Court directs Plaintiffs that full compliance with its orders is expected by all parties.

<sup>2</sup> The ICDC Defendants are: Cheryl Slacks, Coretta Battle, Taura Amber Hughes, Latoshia Coney, and Janet Vaughn.

For the foregoing reasons, the Court accepts Plaintiffs' response and will not dismiss this case for failure to serve Defendant Vaughn as noticed in its prior Order (Doc. 351).

**SO ORDERED**, this 14th day of December 2023.

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE  
UNITED STATES DISTRICT COURT**