

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 17-4063-DDC

BRADLEY VILLINES, NICOLE GRAYSON, and  
The Unknown Heirs, Executors, Administrators,  
Devisees, Trustees, Legatees, Creditors, and  
Assignees of such of the deceased borrower, Toni  
M. Martin a/k/a Toni M. Grayson a/k/a Toni M.  
Lumbardie, and Defendants the Unknown Spouses  
of the Deceased Borrower and other Defendants;  
the Unknown Stockholders, Officers, Successors,  
Trustees, Creditors and Assignees of such  
Defendants as are existing, dissolved or dormant  
corporations; the Unknown Executors,  
Administrators, Devisees, Trustees, Creditors,  
Successors and Assignees of such Defendants as are  
or were partners or in partnership; and the Unknown  
Guardians, Conservators and Trustees of such of the  
Defendants as are minors or are in any way under  
legal disability; and the Unknown Heirs, Executors,  
Administrators, Devisees, Legatees, Trustees,  
Creditors and Assignees of any Person alleged to be  
deceased and made Defendants as such,

Defendants.

ORDER ALLOWING SERVICE BY PUBLICATION ON DEFENDANTS BRADLEY  
VILLINES, NICOLE GRAYSON, AND THE UNKNOWN DEFENDANTS

This matter is before the Court for decision on the motion of Plaintiff United States of America (ECF No. 5) for an order authorizing service by publication on Defendants Bradley Villines, Nicole Grayson, and the Unknown Defendants. For the reasons stated below, the motion is granted.

The Court, upon review of the record, finds as follows:

1. This is a suit by the United States, on behalf of the Rural Housing Service, United States Department of Agriculture, to foreclose a real estate mortgage lien on certain real property commonly known as 201 S. Highland Road, Coffeyville, Montgomery County, Kansas, within the jurisdiction of this Court, specifically described as follows:

Lot 19, Block 2, North Edgewood Addition to the City of Coffeyville, Montgomery County, Kansas.

2. The Complaint was filed on July 17, 2017, Doc. 1. The Complaint seeks foreclosure of a real estate mortgage executed by Toni M. Martin a/k/a Toni M. Grayson a/k/a Toni M. Lumbardie (deceased borrower), the record owner of the subject real estate.

3. Personal service cannot be accomplished on Defendants Bradley Villines and Nicole Grayson, as the United States has been unable to secure a current residential or employment addresses for these Defendants after conducting searches through the Westlaw database CLEAR. Attempts to send correspondence to their last known addresses have been returned as undeliverable.

4. Personal service cannot be accomplished on the Unknown Defendants because they are unknown and, as a consequence, their addresses for purposes of service of process are unknown.

5. Service by publication on Defendants Bradley Villines and Nicole Grayson is authorized by K.S.A. § 60-307(a)(3).

6. Service by publication on the Unknown Defendants is authorized by K.S.A. § 60-307(a)(5).

7. Pursuant to K.S.A. § 60-307(c), the United States submitted an Affidavit for Service by Publication.

FOR GOOD CAUSE SHOWN, IT IS THEREFORE ORDERED that Defendants Bradley Villines, Nicole Grayson and the Unknown Defendants shall appear or plead in this action, on or before **October 25, 2017**, a date not less than forty-one (41) days after the date the notice is first published, and in default thereof, the Court will find that the Complaint and all other pleadings are true, and judgment, the nature of which shall be stated, will be rendered accordingly.

IT IS FURTHER ORDERED that notice of this Order shall be published not less than once each week for six (6) consecutive weeks in a newspaper having general circulation in Montgomery County, Kansas.

IT IS SO ORDERED this 30th day of August, 2017.

s/ James P. O'Hara  
JAMES P. O'HARA  
United States Magistrate Judge

Submitted by:

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District of Kansas

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