

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 17-4106-DDC-JPO

DEBRA MATHEWS, a/k/a DEBBIE A. MATHEWS, JACOB ALMON ROBINSON, RAYMON GLENN ROBINSON, MARI JEAN MITCHEK, AND KANSAS HOUSING RESOURCES CORPORATION, and The Unknown Heirs, Executors, Administrators, Devisees, Trustees, Legatees, Creditors, and Assignees of such of the deceased borrower, Marvin Lee Robinson, 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 THE UNKNOWN DEFENDANTS

This matter is before the court for decision on the motion of plaintiff, United States of America, for an order authorizing service by publication on the unknown defendants (ECF No. 13).

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 818 Kansas Street, Goodland, Sherman County, Kansas, within the jurisdiction of this Court, specifically described as follows:

Lots Thirty-eight (38), Thirty-nine (39), Forty (40), Forty-one (41) and Forty-two (42), Block One (1), First Addition to the City of Goodland, Kansas, according to the recorded plat thereof.

2. The Complaint was filed on November 7, 2017 (ECF No. 1). The Complaint seeks foreclosure of real estate mortgages executed by Marvin Lee Robinson (deceased borrower) and Defendant Debra Mathews, a/k/a Debbie A. Mathews, the record owners of the subject real estate.

3. 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.

4. Defendants Debra Mathews a/k/a Debbie A. Mathews, Jacob Almon Robinson, Raymon Glenn Robinson, Mari Jean Mitchek and Kanas Housing Resources Corporation have previously waived service of summons.

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

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

FOR GOOD CAUSE SHOWN, IT IS ORDERED that the Unknown Defendants shall appear or plead in this action on or before **April 3, 2018**, a date not less than forty-one (41) days after the date the notice is first published. If a defendant does not appear or plead by that date,

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 Sherman County, Kansas.

IT IS SO ORDERED this 7th day of February, 2018.

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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