

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 18-4135-HLT

STACY ANN WHITE, AMERICAN GENERAL
FINANCE, INC. (n/k/a ONEMAIN FINANCIAL
SERVICES, INC.), TOPEKA PULMONARY, P.A.
(n/k/a PULMONARY & SLEEP ASSOCIATES,
P.A.), and THE UNKNOWN SPOUSE, IF ANY,
OF STACY ANN WHITE,

Defendants.

**ORDER ALLOWING SERVICE BY PUBLICATION ON THE UNKNOWN
SPOUSE, IF ANY, OF STACY ANN WHITE**

Now comes before the court the Motion of the United States to Allow Service by Publication on the Unknown Spouse, if any, of Stacy Ann White (ECF No. 7). The court, after reviewing the file and the motion and supporting affidavit, 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 761 North Porter Street, Auburn, Shawnee County, Kansas 66402, within the jurisdiction of this court, specifically described as follows:

Lot 1, Block B, Franklin Subdivision No. 2, in the City of Auburn,
Shawnee County, Kansas

Subject to real estate mortgage dated July 7, 1993, executed by
Tracey Jo Holtom aka Tracey Holtom, a single person to the
Farmers Home Administration, in the sum of \$66,950.00, recorded
on July 8, 1993, in Book 2816 Pages 925-928.

2. For the reasons set forth in the affidavit of plaintiff's attorney, the plaintiff with due diligence is unable to serve summons in the State of Kansas on the unknown spouse, if any, of Stacy Ann White.

3. Service by publication on the unknown spouse, if any, of Stacy Ann White is authorized by Fed. R. Civ. P. 4 and K.S.A. § 60-307(a)(3) and (a)(5).

IT IS THEREFORE ORDERED that the unknown spouse, if any, of Stacy Ann White shall appear or plead in this action on or before a date not less than forty-one days after the date the notice was first published, and in default thereof, 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 Shawnee County, Kansas.

IT IS SO ORDERED this 15th day of November, 2018.

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