

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Case No. 19-2761-DDC

SAMUEL A. GALLAGHER; SIGRID I.  
GALLAGHER; STATE OF KANSAS,  
KANSAS DEPARTMENT OF HEALTH  
AND ENVIRONMENT; and The Unknown  
Heirs, Executors, Administrators, Devisees,  
Trustees, Legatees, Creditors, and Assignees  
of the Deceased Borrower STANLEY S.  
GALLAGHER, et al.,

Defendants.

**ORDER GRANTING STAY OF PROCEEDINGS  
AND EXTENSION OF TIME TO COMPLETE SERVICE**

The Motion of Plaintiff United States of America for an Order granting stay of proceedings and extending time to complete service of process is before the Court (ECF No. 10). The Court, upon review of the file and pleadings, finds as follows:

1. The Complaint in this case was filed on December 17, 2019.
2. On March 10, 2020, the United States was granted until June 14, 2020, to complete service (ECF No. 9). To date, service of process has not been completed on all parties.
3. The United States initiated this foreclosure action on behalf of the United States Department of Agriculture (USDA), Rural Development (USDA/RD), which holds the mortgage on the property that is the subject of this case. On March 19, 2020, USDA/RD, in connection with the Presidentially declared COVID-19 National Emergency, placed an advisory sixty (60)-day suspension on the initiation and completion of USDA, Single Family Housing Direct loan

foreclosure actions brought on behalf of USDA/RD, and on the eviction of persons from properties secured by USDA Single Family Housing Direct loans, which applies to the instant case.

4. The present COVID-19 National Emergency and the USDA/RD's advisory suspension of USDA/RD foreclosures as set forth above constitutes good cause to grant a stay of this case until further order of the Court.

5. The United States has shown good cause pursuant to Fed. R. Civ. P. 4(m) to extend the time equal to the number of days this case is stayed to accomplish service on all defendants.

IT IS THEREFORE ORDERED that the case is stayed until further order of the Court. The United States is ordered to file a status report by **May 19, 2020**.

IT IS FURTHER ORDERED that, once the stay of the case is lifted, the United States is granted additional time equal to the number of days this case is stayed to accomplish service on all defendants.

IT IS FURTHER ORDERED that any responsive deadlines of those defendants on whom service of process has already been made and that has not yet expired are extended equal to the number of days the case is stayed.

Dated: March 27, 2020

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