

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 19-2761-DDC-JPO

SAMUEL A. GALLAGHER; SIGRID I. GALLAGHER; AND 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, and the Unknown Spouses of the Deceased Borrower and other Defendants; Unknown Stockholders, Officers, Successors, Trustees, Creditors and Assignees of Defendants as are existing, dissolved or dormant corporations; Unknown Executors, Administrators, Devisees, Trustees, Creditors, Successors and Assignees of Defendants as are or were partners or in partnership; and Unknown Guardians, Conservators and Trustees of Defendants as are minors or are in any way under legal disability; and Unknown Heirs, Executors, Administrators, Devisees, Legatees, Trustees, Creditors and Assignees of any Person alleged to be deceased and made Defendants,

Defendants.

ORDER FOR SERVICE BY PUBLICATION AND EXTENDING TIME TO SERVE

Comes before the Court the motion of the United States of America for an order for service by publication and to extend time to serve defendants. (ECF No. 14). The Court, after reviewing the files, finds as follows:

1. This is a suit by the United States of America, on behalf of the Department of Agriculture, Rural Development, to foreclose a real estate mortgage lien on certain real property located in Logan County, Kansas.

2. The record owner of this real estate is the deceased borrower, Stanley S. Gallagher.

3. Personal service upon certain unknown defendants named in the Amended Complaint, specifically:

The Unknown Heirs, Executors, Administrators, Devisees, Trustees, Legatees, Creditors, and Assignees of the Deceased Borrower, Stanley S. Gallagher; the Unknown Spouses of the 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,

is not practical for the reasons set forth in the Affidavit of Plaintiff's attorney.

4. Service by publication on the unknown Defendants is authorized by 28 U.S.C. § 1655 and K.S.A. §§ 60-307(a)(3) and (5).

5. For good cause shown, Plaintiff is granted until **September 9, 2020**, to complete service upon Defendants.

THE COURT THEREFORE ORDERS that the Defendants shall appear or plead in this action filed in this Court at Kansas City, Kansas, on or before **September 9, 2020**, a date not less than six (6) weeks from the date the notice was first published, and in default thereof, the Court

will find that the Amended Complaint and all other pleadings are true, and judgment, the nature of which shall be stated, will be rendered accordingly.

THE COURT FURTHER ORDERS that notice of this Order be published not less than once each week for six (6) consecutive weeks in a newspaper having general circulation in Logan County, Kansas.

Dated July 7, 2020, at Kansas City, Kansas.

s/ James P. O'Hara
JAMES P. O'HARA
UNITED STATES MAGISTRATE JUDGE