

**MOTION FOR SUBSTITUTE SERVICE
(RULE 106)**

All motions for substitute service under Rule 106 must be accompanied by a sworn statement before a notary or made under penalty of perjury that includes the following information:

1. all efforts taken to verify that the defendant actually lives, works, or can otherwise probably be found at the subject address;
 2. each attempt at service, with date(s) and time(s);
 3. identity of persons who were present at the subject address and what was said;
- and
4. a printout of some public record, PublicData.com, or similar online database, or other evidence confirming that the defendant can probably be found at that address.

This can include a statement identifying license plates of cars in the driveway and attaching a printout of license plates registered to the person to be served. Statements by neighbors or by people residing in the abode must include the full name of the person and a description. The movant must give the Court assurance that the person can probably be found at that address.

If electronic service (via social media, e-mail, or other technology) is sought under Tex. R. Civ. P. 106(b), the plaintiff must establish, with sufficiently detailed evidence, that such service will be reasonably effective to give the defendant notice of the suit, including that the technology being considered actually belongs to the defendant and that the defendant regularly and recently has used the technology. *See* Tex. R. Civ. P. 106(b)(2); Tex. Sup. Ct. Order, Misc. Docket No. 20-9148 (Dec. 18, 2020); Tex. Sup. Ct. Order, Misc. Docket No. 20-9103 (eff. Dec. 31 2020).

Any Rule 106 Motion must be accompanied by the attached proposed form order. If the submitted proposed order deviates from the form order, the movant must explain the basis for deviation. Failure to do so will result in the Court's denial of an otherwise proper motion.

CAUSE NO. < CaseNum >

<_Style_>

IN THE DISTRICT COURT
192nd JUDICIAL DISTRICT
DALLAS COUNTY, TEXAS

ORDER GRANTING SUBSTITUTE SERVICE OF PROCESS

ON THIS DAY came on for consideration the Plaintiff's Motion for Substitute Service Under Rule 106(b), Texas Rules of Civil Procedure. It appears to the Court that Plaintiff has attempted but failed to personally serve the Defendant, _____, at _____. It further appears to the Court that the manner of service ordered herein will be reasonably effective to give said defendant notice of the lawsuit.

IT IS THEREFORE, ORDERED, ADJUDGED, and DECREED that the Motion for Substitute Service is **GRANTED**.

IT IS FURTHER, ORDERED, ADJUDGED, and DECREED that service of process may be made upon the Defendant, _____, either: (1) by leaving a copy of the citation, with a copy of the Petition and this Order authorizing substitute service attached, with anyone older than sixteen (16) years of age at _____; (2) by firmly affixing a copy of the citation, with a copy of the Petition and this Order authorizing substitute service attached, to the front door of the above address; or (3) by electronically serving a true copy of the citation, with a copy of the Petition and this Order authorizing substitute service attached, to the Defendant by _____ at _____.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the service made by the above method shall not be deemed perfected unless it also complies with the following provisions:

1. a copy of the citation, Petition, and this Order shall be mailed by BOTH certified mail, return receipt requested, AND by regular mail to the Defendant at the same address at which service is authorized above;
2. the return of service shall not be made until 30 days after mailing or until the process server receives back the green card from the post office, whichever date is earlier;
3. the return of service shall include a statement setting out the date of mailing and the result of the mailing by certified mail, and the date of mailing and result of same by regular mail (*i.e.*, whether the envelope was returned by the post office, the green card came back signed, etc.); and
4. a copy of any envelope or green card returned by the post office shall be attached to the return of service.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the return of service of the person executing service pursuant to this Order shall otherwise be made in accordance with Rule 107, Texas Rules of Civil Procedure.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that service of process will be deemed complete upon compliance with this Order, regardless of whether Defendant signs the certified mail receipt.

SIGNED on _____.

Kristina Williams, Presiding Judge,
192nd Judicial District Court