

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

No. 1:25-cv-302

CHARITY MAINVILLE,)
Plaintiff,)
v.)
ANNA DE SANTIS, and DE)
SANTIS RENTALS, LLC,)
Defendants.)

**EXPEDITATED MOTION FOR
ALTERNATIVE SERVICE**

Plaintiff moves this Court for an order permitting alternative service on Defendants Anna De Santis and De Santis Rentals, LLC, who has actively evaded service despite diligent efforts, and for expedited consideration pursuant to Federal Rule of Civil Procedure 4(e)(1) and N.C. R. Civ. P. 4(j1).

1. On April 22, 2025, Plaintiff requested personal service through the Durham County Sheriff's Office. On April 24, 2025, deputies attempted service at Defendant's registered address with the North Carolina Secretary of State. They were informed she did not reside there. Deputies then spoke with Defendant directly by phone, during which she claimed to be out of town and promised to make arrangements upon her return. She has failed to do so.
2. On April 29, 2025, Defendant's attorney in the related state action confirmed via email that Defendant is aware of this federal lawsuit. He

stated that she is seeking separate defense counsel but that he does not represent her in the federal matter. The attorney's email also confirms prior settlement communications and Defendant's general awareness of the litigation context. (Exhibit A)

3. On May 7, 2025, Plaintiff attempted certified mail service at Defendant's last known address from the state court case. USPS forwarding redirected the mail to the Durham address registered with the Secretary of State—recently updated on March 10, 2025—but the mailing was rejected as “addressee unknown.” This indicates deliberate avoidance and further confirms that Defendant has not maintained a valid serviceable address despite legal obligations. (Exhibit B & C)
4. More than thirty (30) days have passed since the summons issued. Plaintiff fears Defendant will continue to evade service to frustrate judicial process and permit the complaint to lapse.

WHEREFORE, Plaintiff respectfully requests that the Court authorize alternative service by:

1. Email to Defendant directly;
2. Email to her current state-case attorney who acknowledged receipt;
3. Posting a copy of the summons and complaint at the address Defendant registered with the North Carolina Secretary of State; and/or

4. Posting at Defendant's last known residential address, which is also her father's residence.
5. Plaintiff further requests expedited consideration of this motion.

Defendant's continued evasion of service is obstructing the progression of this action and poses a risk of prejudicing Plaintiff's substantial rights.

Each method is reasonably calculated to give Defendant actual notice, and is warranted given her demonstrated pattern of evasion and the risk of undue prejudice to Plaintiff if ordinary service is further delayed.

VERIFICATION

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed on this 23rd day of May, 2025.

Charity Mainville
Plaintiff, Pro Se