

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

AMBER J. WILLIAMS,

Plaintiff,

vs.

CANDICE OSTERMAN, et al.,

Defendants.

CV 20-23-H-DLC-JTJ

ORDER

Plaintiff Amber Williams (Williams) has brought this lawsuit against 21 individuals and entities. Williams is proceeding *pro se*. Williams alleges that the Defendants violated her constitutional rights by interfering with her custody of her four minor children. (Doc. 2).

United States District Judge Dana L. Christensen has previously dismissed all of the claims against Defendants Brittany Turner, Shodair Children's Hospital, Provo Canyon School, Karen Kane, Carmen Underwood, Judge Kathy Seeley, Jolen Van Vulkenburg and Landon VanVulkenburg. (*See* Doc. 8).

Defendants Terri Murray, Castle Pines Group Home, Acadia Montana (Acadia), and Jennifer Hedke have waived service of process and have made an appearance in this case. (Docs. 9, 10, 14, 19, 21 and 22).

Defendants Candice Osterman, Emily McVey, Jake Westerhold, AYA

Youth Dynamics Group Home (AYA), AYA staff member Chris (last name unknown), AYA staff member Kevin (last name unknown), Deanna Lougee, Heather Crane and Karen Galvin (collectively the unserved Defendants) have not agreed to waive service of process and have not made an appearance in this case.

The Court informed Williams on November 2, 2020, that it would direct the United States Marshall to complete service of process on the unserved Defendants under Fed. R. Civ. P. 4(c)(3), if Williams made such a request. (Doc. 28 at 8-9). The Court further informed Williams that she had up to and including November 16, 2020, to either request service of process by the United States Marshal, provide proof of service, or show good cause for her failure to serve these Defendants. *Id.* The Court warned Williams if she failed to comply with the Court's Order, the Court would recommend that the claims against the unserved Defendants be dismissed under Fed. R. Civ. P. 4(m) for failure to make timely service of process. *Id.*

The record reflects that Williams has not complied with the Court's Order. Williams has not requested the United States Marshal complete service of process on the unserved Defendants. Williams has not provided proof of service, and Williams has not shown good cause for her failure to complete service on unserved Defendants. The Court will afford William one final opportunity to

comply with the Court's Order given that she is proceeding *pro se*.

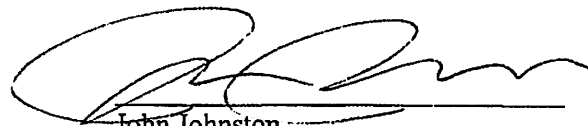
Accordingly, IT IS HEREBY ORDERED:

1. On or before July 12, 2021, Williams must either inform the Court that she would like the United States Marshal to complete service of process on Defendants Candice Osterman, Emily McVey, Jake Westerhold, AYA Youth Dynamics Group Home (AYA), AYA staff member Chris (last name unknown), AYA staff member Kevin (last name unknown), Deanna Lougee, Heather Crane and Karen Galvin, or Williams must provide proof of service. If Williams wishes that service to be accomplished by the United States Marshal, Williams must provide the Court with a current address for all of the unserved Defendants. Williams must also provide the Court with the last names of the Defendants referred to in the Complaint as AYA staff member "Kevin," and AYA staff member "Chris."

2. If Williams fails to comply with this Order, the Court will recommend that all claims against Defendants Candice Osterman, Emily McVey, Jake Westerhold, AYA Youth Dynamics Group Home (AYA), AYA staff member Chris (last name unknown), AYA staff member Kevin (last name unknown),

Deanna Lougee, Heather Crane and Karen Galvin be dismissed under Rule 4(m).

DATED this 21st day of June, 2021.

A handwritten signature in black ink, appearing to read "John Johnston", written over a horizontal line.

John Johnston
United States Magistrate Judge