

IN THE COURT OF COMMON PLEAS, WAYNE COUNTY, OHIO

Plaintiff

vs.

Case No. _____

MOTION FOR SERVICE BY POSTING

Defendant

Now comes _____, the plaintiff herein and makes a motion to have the defendant served by posting pursuant to Rule 4.4.(A)(2) of the Ohio Rules of Civil Procedure. See supporting affidavit attached.

(Signature of party filing motion)

Plaintiff (print name)

Dated: _____

Affidavit of _____ being duly sworn do state the following:

1. I am the plaintiff herein.
2. The action that I have filed is a divorce /annulment / legal separation. (circle one)
3. I am proceeding in forma pauperis as indicated by the application and affidavit of indigency that I have filed/that is attached. I do not know the address of the defendant. I cannot obtain it through the use of reasonable diligence.
4. The reasonable diligence I have taken includes the following:
 - ___ I have checked the phonebook
 - ___ I have checked the city directory
 - ___ I have checked county records
 - ___ I have inquired of former neighbors
 - ___ I have inquired of the defendant's relatives
 - ___ I have inquired of the credit bureau
 - ___ I have made other efforts to ascertain the defendant's current address as follows:

5. The defendant's last known address is _____

STATE OF OHIO, COUNTY OF WAYNE:

_____, being duly affirmed, says that the facts stated in the above application are true as he/she verily believes.

Signature

Affirmed to before me and subscribed in my presence this _____ day of _____, _____.

Notary Public

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vs.

Defendant

Case No. _____

_____, Magistrate

ORDER OF MAGISTRATE

It is hereby ordered that the Clerk=s Office shall complete service by posting as follows:

1. Post a notice in a conspicuous place in the Wayne County Courthouse, 107 W. Liberty Street, Wooster, Ohio 44691.

2. The notice shall contain the name and address of the court, the case number, the name of the first party on each side, and the name and last known address, if any, of the person or persons whose residence is unknown. The publication also shall contain a summary statement of the object of the complaint and demand for relief, and shall notify the person to be served that he or she is required to answer within twenty-eight days after the last date of posting.

3. The notice shall be posted for six successive weeks.

4. The clerk shall also cause the complaint and summons to be mailed by ordinary mail, address correction requested, to the defendant=s last known address. The clerk shall obtain a certificate of mailing from the USPS. If the clerk is notified of a corrected or forwarding address of the defendant within the six-week period that notice is posted, the clerk shall cause the complaint and summons to be mailed to the corrected or forwarding address. The clerk shall note the name, address, and date of each mailing in the docket.

5. After the last week of posting, the clerk shall note on the docket where and when notice was posted. Service shall be complete upon the entry of posting.

IT IS SO ORDERED.

Magistrate

Dated: _____