

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA

Calvin Mason v. Komola Edwards, Antoine Caldwell, Sean Gittens,
John Moore, Timothy Phillips, Angie Pittman, Mark Smith,
Woodrow Tripp, and Georgia Department of Corrections

Mason v. Edwards · No. CV 325-098; 3:25-cv-00098 · Decided December 4, 2025

SUMMARY

The United States District Court for the Southern District of Georgia directs the Clerk to re-serve prior orders and attachments on pro se Plaintiff Calvin Mason after an earlier order was returned as undeliverable. The Court extends the time for service and notifies Plaintiff that he must serve each Defendant within ninety days of the order, or the case or individual defendants may be dismissed under Federal Rule of Civil Procedure 4(m).

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia
WRITING FOR THE COURT	Brian E.
JURISDICTION	United States District Court for the Southern District of Georgia
DECIDED	December 4, 2025
DOCKET	CV 325-098; 3:25-cv-00098
DISPOSITION	other
PROCEDURAL POSTURE	In a pro se civil-rights action, the district court addressed service of process after an order and accompanying instructions were returned as undeliverable.
STANDARD OF REVIEW	The Court exercised its discretion under Federal Rule of Civil Procedure 4(m) to extend the service period.
PRECEDENTIAL VALUE	Unknown; the opinion is an order from a federal district court and contains no stated precedential designation.

TOPICS

- service of process
- civil procedure
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Court should re-serve its prior orders after an order was returned as undeliverable.
2. Whether the Court should extend Plaintiff's time to serve Defendants under Federal Rule of Civil Procedure 4(m).

HOLDINGS

1. The Court may exercise its discretion under Rule 4(m) to extend the time for service, and an extension was warranted because Plaintiff did not receive the Court's prior orders.

KEY QUOTATIONS

“Rule 4(m) empowers courts with discretion to extend the time for service when a plaintiff demonstrates good cause for failing to timely serve process or any other circumstances warrant an extension of time.” (Order dated December 4, 2025)

“Because Plaintiff never received its previous Orders, the Court exercises its discretion to extend the time for service.” (Order dated December 4, 2025)

FACTUAL BACKGROUND

Plaintiff proceeded pro se in a civil-rights action and had not received prior communications from the Court because an October 20, 2025 order was returned as undeliverable. Plaintiff later notified the Court of an updated mailing address. Because Plaintiff had not received the Court's prior orders, the Court re-served them and extended the time for service on Defendants.

PROCEDURAL HISTORY

The action was filed in the Southern District of Georgia. The Court issued instructions concerning Federal Rule of Civil Procedure 26(f) and provided basic instructions to Plaintiff, but one order was returned as undeliverable. After Plaintiff supplied an updated mailing address and stated that he had not received prior court communications, the Court ordered the Clerk to re-serve the prior orders and extended Plaintiff's time to serve the Defendants.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to re-serve the Court's October 17 and October 20, 2025 orders and accompanying attachments on Plaintiff. Plaintiff was directed to serve each Defendant within ninety days of the December 4, 2025 order; failure to do so could result in dismissal of individual defendants or the entire case.

CASES CITED

- Henderson v. United States, 517 U.S. 654, 662-63 (1996)
- Lepone-Dempsey v. Carroll County Commissioners, 476 F.3d 1277, 1282 (11th Cir. 2007)
- Horenkamp v. Van Winkle & Co., 402 F.3d 1129, 1132 (11th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA DUBLIN DIVISION CALVIN MASON,)) Plaintiff,)) v.) CV 325-098) KOMOLA EDWARDS; ANTOINE) CALDWELL; SEAN GITTENS; JOHN) MOORE; TIMOTHY PHILLIPS; ANGIE) PITTMAN; MARK SMITH; WOODROW) TRIPP; and GEORGIA DEPARTMENT) OF CORRECTIONS,)) Defendants.) _____ O R D E R _____ On October 17, 2025, the Court provided instructions regarding Federal Rule of Civil Procedure 26(f).

(Doc. no. 2.) Further, on October 20, 2025, the undersigned provided basic instructions to Plaintiff as a pro se party. (Doc. no. 3.) The October 20th Order was later returned as undeliverable and marked “Unable to Forward.” (Doc. no. 4.)

On December 1, 2025, the Court received a letter from Plaintiff dated November 24, 2025, providing an updated mailing address and stating he has not received any communication from the Court to date. (Doc. no. 5.) Accordingly, the Court DIRECTS the CLERK to re-serve the Court’s October 17th and 20th Orders and accompanying attachments on Plaintiff at his new address.

(Doc. nos. 2, 3.) This Order shall too be included in the same envelope. In an abundance of caution, the Court also extends Plaintiff’s time to serve Defendants. The Court HEREBY NOTIFIES Plaintiff he must serve each Defendant within ninety days of the date of this Order, and failure to do so may result in the dismissal of individual defendants or the entire case.!

Fed. R. Civ. P. 4(m). SO ORDERED this 4th day of December, 2025, at Augusta, Georgia. BRIAN E. UNITED STATES MAGISTRATE JUDGE SOUTHERN DISTRICT OF GEORGIA ‘Rule 4(m) empowers courts with discretion to extend the time for service when a plaintiff demonstrates good cause for failing to timely serve process or any other circumstances warrant an extension of time.

Henderson v. United States, 517 U.S. 654, 662-63 (1996); Lepone-Dempsey v. Carroll Cnty. Comm’rs, 476 F.3d 1277, 1282 (11th Cir. 2007); Horenkamp v. Van Winkle & Co., 402 F.3d 1129, 1132 (11th Cir. 2005). Because Plaintiff never received its previous Orders, the Court exercises its discretion to extend the time for service.