

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
LOUISIANA

Erice D. Magee v. Amazon Corporation, LLC, et al.

Civil Action No. 25-1241 (E.D. La. Jan. 30, 2026) · No. Civil Action No. 25-1241 · Decided February 2, 2026

SUMMARY

This Report and Recommendation addresses pro se Plaintiff Erice D. Magee’s Title VII and ADEA claims against Amazon Corporation, LLC and Robert Lamb. The court concluded that Magee failed to properly serve either defendant despite two extensions and recommended dismissal without prejudice under Federal Rule of Civil Procedure 4(m) and Rule 41(b).

CASE DETAILS

|                    |                                                                                                                                                                                                                                          |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Eastern District of Louisiana                                                                                                                                                                       |
| JURISDICTION       | United States District Court for the Eastern District of Louisiana                                                                                                                                                                       |
| DECIDED            | February 2, 2026                                                                                                                                                                                                                         |
| DOCKET             | Civil Action No. 25-1241                                                                                                                                                                                                                 |
| DISPOSITION        | dismissed                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE | Magistrate judge report and recommendation in a pro se Title VII and ADEA action recommending dismissal without prejudice for failure to properly serve the defendants and prosecute the case.                                           |
| STANDARD OF REVIEW | The report applies Federal Rules of Civil Procedure 4(m) and 41(b), including the court's discretion to extend the service deadline absent good cause and to dismiss for failure to prosecute or comply with the rules or a court order. |
| PRECEDENTIAL VALUE | nonprecedential                                                                                                                                                                                                                          |
| PARTIES            | Erice D. Magee v. Amazon Corporation, LLC, Robert Lamb                                                                                                                                                                                   |

TOPICS

- service of process
- civil procedure
- title vii
- age discrimination
- employment discrimination

PRACTICE AREAS

- civil procedure
- employment law
- employment discrimination
- civil rights

## QUESTIONS PRESENTED

1. Whether Magee demonstrated good cause requiring another extension of the deadline to serve the defendants under Federal Rule of Civil Procedure 4(m).
2. Whether service on Amazon was valid when the summons returns did not identify a specific person, officer, managing or general agent, registered agent, or other agent authorized to receive service.
3. Whether delivery of summons and complaint to an unnamed person at Amazon's corporate office could constitute valid service on Robert Lamb.
4. Whether dismissal without prejudice was proper under Rules 4(m) and 41(b) for failure to serve the defendants and prosecute the action.

## HOLDINGS

1. Magee did not demonstrate good cause for another mandatory extension under Rule 4(m), and the court declined to grant a further discretionary extension after already granting two extensions and issuing an express warning.
2. Service on Robert Lamb was not proper because delivery of summons and complaint to an unnamed person at Amazon's corporate office was not service at Lamb's dwelling or usual place of abode, and neither Louisiana nor Washington law authorizes service of an individual at the individual's place of employment.
3. Amazon was not properly served because the summons returns did not show personal service on an officer, managing or general agent, registered agent, or other agent authorized by appointment or law to receive service.
4. Dismissal without prejudice of Magee's claims against Amazon and Lamb was proper under Rules 4(m) and 41(b) because he failed to effect proper service after multiple extensions and failed to prosecute the case in accordance with the rules and court orders.

## KEY QUOTATIONS

*“A plaintiff’s “pro se status neither excuses his failure to effect service nor excuses him for lack of knowledge of the Rules of Civil Procedure.”” (Section II)*

*“Thus, delivery of the documents to an unnamed person at Amazon’s corporate office is not a proper as to Mr. Lamb.” (Section III.A)*

## FACTUAL BACKGROUND

Magee attempted to serve Amazon at an Amazon distribution facility and later at its Seattle headquarters, but the returns did not identify the person or title of the person allegedly served. He did not file proof of service or a waiver for Robert Lamb and appeared to propose service on Lamb at Amazon's corporate office. After receiving two extensions and express warnings, Magee still did not establish proper service on either defendant by the extended deadline.

## PROCEDURAL HISTORY

Magee filed the action on June 17, 2025. The court issued a show-cause order and subsequently granted two extensions of the service deadline, warning that failure to timely and properly serve the defendants would result in a recommendation of dismissal. Magee filed notices and responses claiming service on Amazon and attempting substitute service on Robert Lamb, but the returns did not identify a proper person served or otherwise establish valid service. The report recommends dismissal without prejudice under Federal Rules of Civil Procedure 4(m) and 41(b), subject to the parties' opportunity to object.

## DISPOSITION

dismissed

## CASES CITED

- *Murphy Bros. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 350 (1999)
- *Burton v. Rich's Carwash LLC*, No. 19-11725, 2019 WL 6307677, at \*2 (E.D. La. Nov. 25, 2019)
- *Washington v. Mayweather Promotions, LLC*, No. 18-10733, 2019 WL 5684263, at \*1 (E.D. La. Nov. 1, 2019)
- *Louviere v. Carewell Hosp., LLC*, No. 18-6419, 2019 WL 2469789, at \*1 (E.D. La. June 13, 2019)
- *Badeaux v. Grand Isle Marina Constr., LLC*, No. 17-4984, 2019 WL 1755523, at \*2 (E.D. La. Apr. 18, 2019)
- *Smith v. Womans Hosp.*, 671 F. App'x 884, 887 (5th Cir. 2016)
- *Chastain v. New Orleans Paddlewheels, Inc.*, No. 21-1581, 2021 WL 5578443, at \*3 (E.D. La. Nov. 30, 2021)
- *Barrow v. Fair Grounds Corp.*, 782 So. 2d 697 (La. App. 4 Cir. 2001)
- *Gerhardt's v. American Diesel Equipment, Inc.*, 569 So. 2d 80 (La. Ct. App. 4 Cir. 1990)
- *Gartin v. Par Pharmaceutical Cos.*, 289 F. App'x 688, 692 (5th Cir. 2008)
- *Lambert v. United States*, 44 F.3d 296, 299 (5th Cir. 1995)
- *Thompson v. Brown*, 91 F.3d 20, 21 (5th Cir. 1996)
- *Thrasher v. City of Amarillo*, 709 F.3d 509, 512 (5th Cir. 2013)
- *Hulsey v. Texas*, 929 F.2d 168, 171 (5th Cir. 1991)
- *Doe v. St. James Par. Sch. Bd.*, No. 15-5370, 2016 WL 1558794, at \*3 (E.D. La. Apr. 18, 2016)
- *Jason v. Nugent*, No. 04-1722, 2005 WL 53301, at \*2 (E.D. La. Jan. 7, 2005)
- *Fleury v. Platt*, No. 24-1321, 2025 WL 1089524, at \*1 (W.D. Wash. Mar. 18, 2025)
- *Brooks-Joseph v. City of Seattle*, No. 22-1078, 2023 WL 5822276, at \*2 (W.D. Wash. Sept. 8, 2023)
- *Savoy v. Kenner Police Dep't*, No. 25-1178, 2025 WL 3145707, at \*3 (E.D. La. Nov. 7, 2025)
- *T.D. Auto Fin., LLC v. Higgs*, 417 So. 3d 790, 793-94 (La. App. 1 Cir. 2025)
- *Ex parte LERETA, LLC*, 226 So. 3d 140, 144 (Ala. 2016)
- *Kingsbery v. Paddison*, No. 20-3192, 2021 WL 673455, at \*4 (E.D. La. Feb. 22, 2021)
- *Wesenberg v. New Orleans Airport Motel Assocs. TRS, LLC*, No. 14-1632, 2015 WL 5599012, at \*2 (E.D. La. Sept. 22, 2015)
- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

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