

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Kenneth Laverne Bounds, Jr. v. White Pine County, Officer Julian Fuentes #439, and Angela Yates

Bounds v. White Pine County · No. 3:25-cv-00403-MMD-CSD · Decided January 8, 2026

SUMMARY

The United States District Court for the District of Nevada granted White Pine County and Officer Julian Fuentes’s motion to quash service of process. The court held that Plaintiff had not established valid service under Federal Rule of Civil Procedure 4 and directed him to file proof of service or seek an extension within thirty days, warning that the defendants could otherwise be dismissed without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Craig S. Denney
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 8, 2026
DOCKET	3:25-cv-00403-MMD-CSD
DISPOSITION	other
PROCEDURAL POSTURE	White Pine County and Officer Julian Fuentes specially appeared and moved to quash service of process. Plaintiff did not respond, and the court granted the motion both because the motion was unopposed under the local rules and because service was not substantially compliant with Federal Rule of Civil Procedure 4.
STANDARD OF REVIEW	The court determined whether service complied substantially with Federal Rule of Civil Procedure 4 after Defendants challenged its validity; Plaintiff bore the burden of establishing valid service.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

service of processpersonal jurisdictioncivil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the attempted service on White Pine County complied with Federal Rule of Civil Procedure 4(j)(2) and Nevada Rule of Civil Procedure 4.2(d)(3).
2. Whether the attempted service on Officer Julian Fuentes complied with Federal Rule of Civil Procedure 4(e) and Nevada Rule of Civil Procedure 4.2(d)(4).
3. Whether the court should quash the attempted service and allow additional time for Plaintiff to complete service or seek an extension under Rule 4(m).

HOLDINGS

1. A federal court lacks personal jurisdiction over a defendant unless the defendant has been served in accordance with Federal Rule of Civil Procedure 4, and actual notice or merely naming a defendant is insufficient without substantial compliance with Rule 4.
2. Plaintiff did not establish valid service on White Pine County or Officer Fuentes because leaving the summons and complaint with an administrative assistant at the Sheriff's Office did not demonstrate substantial compliance with the applicable service rules.
3. The motion to quash service of process filed by White Pine County and Officer Fuentes was granted.
4. Plaintiff was given thirty days from the date of the order to file proof of completed service or move for an extension of time; failure to comply could result in dismissal without prejudice of White Pine County and Officer Fuentes.

KEY QUOTATIONS

“A federal court lacks “personal jurisdiction over a defendant unless the defendant has been served in accordance with Fed. R. Civ. P. 4.”” (at 1)

“Although Rule 4 is flexible “so long as a party receives sufficient notice of the complaint, . . . neither actual notice nor simply naming the defendant in the complaint will provide personal jurisdiction without substantial compliance with Rule 4.”” (at 2)

“Plaintiff will have thirty (30) days from the date of this order to file proof of completed service of process on defendants White Pine County and Officer Fuentes or move for an extension of time to do so.” (at 4)

FACTUAL BACKGROUND

An unidentified individual allegedly attempted to serve White Pine County and Officer Julian Fuentes on October 23, 2025, by leaving copies of the summons and complaint with an administrative assistant at the White Pine County Sheriff's Office. No summons return was filed, and Plaintiff did not establish that service complied substantially with the applicable federal and Nevada service rules.

PROCEDURAL HISTORY

Plaintiff filed the complaint on September 9, 2025. Defendants White Pine County and Officer Julian Fuentes challenged an attempted service in which an unidentified person allegedly left the summons and complaint with an administrative assistant at the White Pine County Sheriff's Office. The district court quashed the attempted service and allowed Plaintiff thirty days to file proof of service or seek an extension of time.

DISPOSITION

other

CASES CITED

- Benny v. Pipes, 799 F.2d 489, 492 (9th Cir. 1986), amended, 807 F.2d 1514 (9th Cir. 1987)
- Crowley v. Bannister, 734 F.3d 967, 974-75 (9th Cir. 2013)
- S.J. v. Issaquah School District No. 411, 470 F.3d 1288, 1293 (9th Cir. 2006)
- Brockmeyer v. May, 383 F.3d 798, 801 (9th Cir. 2004)
- Smith v. Dysart Unified School District, No. CV-25-03407-PHX-JZB, 2025 WL 3153441, at *2 (D. Ariz. Nov. 12, 2025)
- Lemoge v. United States, 587 F.3d 1188, 1198 (9th Cir. 2009)

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