

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Melissa Ridgel v. Corporal Korbin Taylor Williams, in his individual
capacity, et al.

Ridgel · No. CIV-25-684-D · Decided December 23, 2025

SUMMARY

The United States District Court for the Western District of Oklahoma denied Corporal Korbin Taylor Williams’s motion to dismiss for failure to timely serve process. The court found good cause to extend the service deadline by 60 days because Plaintiff made multiple service attempts and the statute of limitations had expired or was about to expire.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	December 23, 2025
DOCKET	CIV-25-684-D
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Corporal Korbin Taylor Williams specially appeared and moved to dismiss for failure to serve him within the time required by Federal Rule of Civil Procedure 4(m), arguing that the claims should be dismissed with prejudice because the statute of limitations had expired.
STANDARD OF REVIEW	The court applied Federal Rule of Civil Procedure 4(m), which requires dismissal without prejudice or an extension when a defendant is not timely served and requires an extension when the plaintiff shows good cause.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- service of process
- motions to dismiss
- section 1983
- statute of limitations
- civil procedure

PRACTICE AREAS

civil procedure

civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the attorneys' one-day entry of appearance on behalf of Corporal Williams constituted service under Oklahoma law.
2. Whether Plaintiff showed good cause under Federal Rule of Civil Procedure 4(m) to extend the deadline for serving Corporal Williams.
3. Whether dismissal based on expiration of the statute of limitations was appropriate when Plaintiff had not yet properly served Corporal Williams.

HOLDINGS

1. The one-day entry of appearance filed on behalf of Corporal Williams did not establish service because the attorneys promptly filed amended entries of appearance correcting the error, and the amended entries governed.
2. Plaintiff demonstrated good cause for extending the deadline to serve Corporal Williams under Federal Rule of Civil Procedure 4(m).
3. Dismissal of Plaintiff's claims against Corporal Williams based on the statute of limitations was improper at that point because good cause supported extending the service deadline and dismissal would bar refiling.

KEY QUOTATIONS

"The Court finds that good cause exists for extension of the service deadline."

"IT IS THEREFORE ORDERED that the Special Entry of Appearance and Motion to Dismiss of Corporal Korbin Taylor Williams and Brief in Support [Doc. No. 12] is DENIED."

FACTUAL BACKGROUND

On October 3, 2023, Plaintiff was a passenger in a vehicle involved in a high-speed police pursuit. Corporal Williams had attempted to stop the vehicle after conducting a warrant check, but the driver fled at speeds exceeding 120 miles per hour. The fleeing vehicle eventually collided with another vehicle, allegedly causing Plaintiff severe and permanent injuries.

PROCEDURAL HISTORY

Plaintiff filed suit against Corporal Williams and the City of Shawnee on June 20, 2025. Although attorneys initially entered appearances for both defendants, amended entries filed the next day stated that the attorneys represented only the City of Shawnee. Williams moved to dismiss on October 10, 2025, asserting that he had not been served within 90 days. The court denied the motion, found good cause for extending service, and granted Plaintiff 60 additional days to serve Williams.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. Plaintiff must serve Corporal Williams within 60 days from entry of the order; failure to do so may result in dismissal of the claims against him.

CASES CITED

- Espinoza v. United States, 52 F.3d 838, 842 (10th Cir. 1995)
- McCarty v. Gilchrist, 646 F.3d 1281, 1289 (10th Cir. 2011)
- Wallace v. Kato, 549 U.S. 384, 387 (2007)

OPINION

Ridgel

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF OKLAHOMA

MELISSA RIDGEL,)

) Plaintiff,)) v.) Case No. CIV-25-684-D)

CORPORAL KORBIN TAYLOR)

WILLIAMS, in his individual capacity, et al.,)) Defendants.))

ORDER

Before the Court is Defendant's Special Entry of Appearance and Motion to Dismiss of Corporal Korbin Taylor Williams and Brief in Support [Doc. No. 12]. Plaintiff filed her response [Doc. No. 16], to which Defendant replied [Doc. No. 17]. Plaintiff's Allegations On the morning of October 3, 2023, Plaintiff sustained severe and permanent injuries as the result of a car wreck [Doc. No. 1, ¶¶ 8, 12]. That morning, Defendant Williams was conducting a dispatch check for warrants on a car in which Plaintiff was a passenger. Id. ¶ 8. After conducting the check, he turned on the emergency lights on his patrol car and attempted to make a traffic stop. Id. ¶ 9. But instead of pulling over, the driver accelerated through an intersection and fled. Id. Defendant Williams initiated a pursuit which reached speeds of over 120 miles per hour. Id. ¶¶ 9, 10. The chase ended when the fleeing car collided with another car at an intersection. Id. ¶ 10. Procedural Background On June 20, 2025, Plaintiff sued Corporal Korbin Taylor Williams and the City of Shawnee, asserting constitutional and common law violations [Doc. No. 1]. Plaintiff issued an electronic summons to each Defendant [Doc. No. 2]. Proof of service as to the City of Shawnee was filed on August 20, 2025 [Doc. No. 3]. On September 9, 2025, Jeffrey Hendrickson and William Nester each filed an entry of appearance on behalf of both Defendants [Doc. Nos. 4, 5]. The next day,

September 10, 2025, both attorneys filed an amended entry of appearance to reflect their appearance on behalf of only the City of Shawnee, not Defendant Williams [Doc. Nos. 8, 9]. Defendant Williams filed this motion to dismiss on October 10, 2025 [Doc. No. 12]. Legal Standard “A civil action is commenced by filing a complaint with the court.” FED. R. CIV. P.

3. A plaintiff must serve a defendant within 90 days after the complaint is filed. FED. R.

CIV. P. 4(m). If the plaintiff fails to do so, the court “must dismiss the action without prejudice against that defendant or order that service must be made within a specified time.” Id. “But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Id. Discussion Defendant Williams asserts that he was not served within the 90-day service window under FED. R. CIV. P. 4(m). Further, Williams argues the statute of limitations has since expired on Plaintiff’s claims, so the suit should be dismissed with prejudice. Plaintiff argues that the stricken entries of appearance [Doc. Nos. 4, 5] established service on Defendant. Further, Plaintiff argues that even if service was not established by the initial entry of appearance, she has established good cause under FED. R. CIV. P. 4(m) for the Court to grant an extension for her to serve Defendant. Although Oklahoma law recognizes that “[a]n acknowledgement on the back of the summons or the voluntary appearance of a defendant is equivalent to service,” OKLA. STAT. tit. 12, § 2004(C)(5), the Court disagrees with Plaintiff that the one-day entry of appearance on behalf of Defendant Williams is sufficient to establish service. Both attorneys filed amended entries of appearance the following day fixing the error, and the amended entries of appearance govern. The Court finds that service was not effected on Defendant Williams within the 90-day period. Although Defendant was not properly served within the 90-day period, the Court finds that good cause exists for extension of the service deadline. Plaintiff made several attempts to serve Defendant—including mailing service to Defendant, leaving a note on Defendant’s door, and requesting a waiver of service under Fed. R. Civ. P. 4(d) [Doc. No. 16, at 4]. Further, “[r]elief may be justified . . . if the applicable statute of limitations would bar the refiled action.” *Espinoza v. United States*, 52 F.3d 838, 842 (10th Cir. 1995) (quoting FED. R. CIV. P. 4(m) advisory committee’s note (1993)).¹ Here, it is undisputed that the accident took place on October 3, 2023. “The statute of limitations period for a § 1983 1 As Defendant acknowledges, federal and Oklahoma law do not require service to be effected within the statute of limitations period. The Court finds that good cause exists for extension of the service deadline, so dismissal due to a lapse in the statute of limitations at this point would be improper. claim is dictated by the personal injury statute of limitations in the state in which the claim arose,” which in Oklahoma is two years. *McCarty v. Gilchrist*, 646 F.3d 1281, 1289 (10th Cir. 2011) (citing *Wallace v. Kato*, 549 U.S. 384, 387 (2007); OKLA. STAT. tit. 12, § 95(A)(3)). Because the statute of limitations expired in October 2025, dismissal of the claims against Defendant Williams now would prohibit Plaintiff from refiling these claims against him. The Court finds that good cause has been shown to extend the service deadline. IT IS THEREFORE ORDERED that the Special Entry of Appearance and Motion to Dismiss of Corporal Korbin Taylor Williams and Brief in Support [Doc. No. 12] is

DENIED. IT IS FURTHER ORDERED that the deadline to effect service of process on Defendant Corporal Korbin Taylor Williams is extended 60 days from the entry of this Order. Failure to serve Defendant Corporal Korbin Taylor Williams within this timeframe may result in dismissal of the action against him. IT IS SO ORDERED this 23rd day of December, 2025. “<P. em Nd Q.

TIMOTHY D. DeGIUSTI

Chief United States District Judge