FILED
SUPREME COURT
OF GUAM

NOV 20 2 1 PM '97

RICHARD C. ARRIOLA SUSAN
CLERK, SUPREME COURT
BY: _____

IN THE SUPREME COURT OF GUAM

RE AMENDMENT TO RULE 4(e) OF THE RULES OF CIVIL PROCEDURE FOR THE SUPERIOR COURT OF GUAM

PROMULGATION ORDER

The Supreme Court of Guam, having considered this matter sitting en banc, adopts the following as the amended Rule 4(e) of the Superior Court Rules of Civil Procedure, effective immediately.

"4 (e) Summons--Service Upon Party Not Inhabitant Of, or Found Within the Territory.

Whenever a statute or an order of court thereunder provides for service of a summons, or of notice, or of an order in lieu of summons upon a party not an inhabitant of, or found within the territory, service shall be made by publication in a newspaper of general circulation for the prescribed time and by mailing such summons, notice or order to the last known residence (or post office box) of such party. Where a residence address and a post office box are known, service shall be made on both. Publications shall be proved by affidavit of an officer or agent of the publisher, stating the dates of publication with an attached copy of the order as published. Service by mail shall be accomplished by any form of U.S. postal delivery that provides for written proof of mailing, written proof of delivery and restricted delivery to the addressee only. Mailing shall be proved by affidavit establishing that the address employed is the most current mailing address known for the party being served, that a copy of the summons (notice or order) and the complaint were deposited with the U.S. Post Office, properly addressed, and having attached thereto the Postal receipts reflecting a form of mailing prescribed above."

PETER C. SIGUENZA
Chief Justice

I do hereby certify that the foregoing is a full true and correct copy of the original on file in the office of the clerk of the Supreme Court, Guam
Dated at Agana, Guam
11-21-97, 19__

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