

FILED

IN THE CHANCERY COURT, STATE OF WYOMING

2026 WYCH 8

CREDIT GLORY, LLC,

Plaintiff,

v.

Jessica Yocum, individually,

Defendant.

Case No. CH-2026-0000003

**Order Denying Motion
for Order Authorizing Alternative Service of Process upon Defendant**

[¶1] This case alleges the breach of a non-solicitation and non-competition agreement. Plaintiff Credit Glory moves for an order allowing alternative service on Ms. Yocum, its former employee, by email. (FSX No. 79081442). The court denies the motion without prejudice. Credit Glory may refile after correcting the deficiencies noted herein.

[¶2] To start, the motion misquotes the Rules of Civil Procedure. Included in the motion's discussion of the governing legal standards, Credit Glory states:

Wyoming courts recognize that alternative service is appropriate where traditional service methods have failed despite diligent efforts and where the requested method comports with due process. Rule 4(d) of the W.R.C.P. establishes the default service methods and implicitly authorizes deviation when those methods are impracticable and the court orders an alternative.¹ According to W.R.C.P. 4(e), 'if service cannot be made with reasonable diligence' by the methods listed in W.R.C.P. 4(d), 'the court may order service to be made in any manner reasonably calculated to give notice.'

¹ Credit Glory cites the Wyoming Rules of Civil Procedure, which do not govern cases in this court. In this instance (as is often the case), the chancery court's rules mirror the district courts' rules.

[¶3] Subsections (d) and (e) of Rule 4, meanwhile, state:

(d) Personal Service. The summons and initial pleading shall be served together. The plaintiff shall furnish the person making service with such copies as are necessary.

(e) Serving an Individual Within the United States. An individual other than a person under 14 years of age or an incompetent person may be served within the United States:

- (1) by delivering a copy of the summons and of the initial pleading to the individual personally,
- (2) by leaving copies thereof at the individual's dwelling house or usual place of abode with some person over the age of 14 years then residing therein,
- (3) at the defendant's usual place of business with an employee of the defendant then in charge of such place of business, or
- (4) by delivering a copy of the summons and of the initial pleading to an agent authorized by appointment or by law to receive service of process.

[¶4] The references and quotations Credit Glory raises are not found in subsections (d) or (e), or anywhere else in Rule 4. The court could not find any Wyoming law—cases, statutes, rules, regulations, or even secondary sources—matching the quoted language. The closest authority found was Rule 27(a)(2), which is inapplicable and was not raised.

[¶5] In support of its motion, counsel for Credit Glory also submitted an affidavit that details the efforts made to personally serve Ms. Yocum. The motion states that the affidavit was submitted “in compliance with W.R.C.P. 4(f)[.]” That subsection, although referencing alternative service “reasonably calculated to give notice,” applies only to international service. Here, Ms. Yocum is alleged to reside in Indiana, so subsection 4(f) is inapplicable.

[¶6] Credit Glory may have intended to move under W.R.C.P.Ch.C. 4(l), which requires an affidavit; that subsection would in turn allow service by registered or certified mail under subsection (r). But if that is true, the affidavit is incomplete: it does not state that the case is one of those mentioned in subsection 4(k) as required by Rule 4(l)(1)(D).

[¶7] Proper service of process in Wyoming requires “strict compliance” with all applicable rules. *Hopeful v. Etchepare, L.L.C.*, 2023 WY 33A, ¶ 30, 528 P.3d 414, 423 (Wyo. 2023). That is especially so here, where the defendant resides outside of the state: “Nonresident service of process statutes are in derogation of the common law and are given a strict construction; therefore, each step is jurisdictional and a condition precedent to completion of service of process upon a nonresident defendant.” *Gookin v. State Farm Fire & Cas. Ins. Co.*, 826 P.2d 229, 234 (Wyo. 1992).

[¶8] Credit Glory must show on the record strict compliance with all rules governing its motion before the court may allow alternative service. *Id.* It has not done so. Misstating the controlling subsection of Rule 4 is alone fatal to Credit Glory's request. *Tarter v. Tarter*, 2020 WY 80, ¶¶ 17, 19, 466 P.3d 829, 833 (Wyo. 2020). And with a strict reading of and compliance with the rules required here, the court will not reach the merits by guessing the authority under which Credit Glory seeks relief. W.R.C.P.Ch.C. 7(b)(1)(B).

[¶9] For now, the motion is **DENIED** without prejudice. Counsel should closely review the applicable rules before refileing.

SO ORDERED.

Dated: 4/28/2026

/s/ Benjamin M. Burningham
CHANCERY COURT JUDGE