## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RODNEY PEARSON,

:

Plaintiff, : CIVIL ACTION NO. 16-240

v.

:

PHILADELPHIA PRISON SYSTEM. CITY OF PHILADELPHIA, MAYOR JIM KINNEY, Individually and in his capacity as Mayor, City of Philadelphia, Superintendent Douglas Giorla, Individually and in his capacity as Prison Commissioner, Philadelphia Prison System, WARDEN WILLIAM LAWTON, Individually and in his capacity as Warden, House of Correction, MAJOR EDWARD MIRANDA, Individually and in his capacity as Major, House of Correction, SERGEANT GANGEMI, Individually and in her capacity as Sergeant, House of Correction, CORIZON HEALTH CARE, INC., and QUAN BANG, RN,

Defendants.

## **ORDER**

AND NOW, this 16th day of November, 2016, the court having entered an order requiring the plaintiff to show cause why the court should not dismiss without prejudice his claims against the defendants, Superintendent Douglas Giorla, Warden William Lawton, Major Edward Miranda, and Quan Bang, R.N., due to his failure to timely effect service of process under Rule 4(m) of the Federal Rules of Civil Procedure (Doc. No. 31); and the plaintiff having failed to file a response or otherwise communicate with the court in response to the order to show cause; and for the reasons set forth in the separately-filed memorandum opinion; accordingly, it is hereby **ORDERED** that the plaintiff's claims against the defendants,

Superintendent	Douglas	Giorla,	Warden	William	Lawton,	Major	Edward	Miranda,	and	Quar
Bang, R.N., are <b>DISMISSED WITHOUT PREJUDICE</b> .										

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/s/ Edward G. Smith EDWARD G. SMITH, J.