

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

FRED NEKOUÉE, individually,)
)
Plaintiff,)
)
v.)
)
REALTY INCOME CORPORATION,)
)
Defendant.)

CIVIL ACTION NO.
2:18cv401-MHT
(WO)

OPINION

Plaintiff filed this lawsuit on April 9, 2018. The court's docket reflects no effort to serve the defendant. Federal Rule of Civil Procedure 4(m) provides: "If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." The United States Magistrate Judge entered an order to show cause (doc. no. 4) as to

why the case should not be dismissed pursuant to Rule 4(m). The deadline for response has passed, and plaintiff did not respond to the order. The court concludes that this case should be dismissed.

An appropriate judgment will be entered.

DONE, this the 20th day of August, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE