

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**FIRST NATIONAL BANK  
OF IZARD COUNTY**

**PLAINTIFF**

**V.**

**CASE NO.: 1:15-CV-5-BD**

**EVERGREEN PROCESSING LLC, f/k/a  
B & H RESOURCES, LLC, et al.**

**DEFENDANTS**

**ORDER**

Celtic Bank (“Celtic”) filed a third-party complaint on February 3, 2016, against several defendants, including Elite Coil Tubing Solutions, LLC (“Elite”). On the same day, the Clerk issued a summons for Elite and mailed it to counsel for Celtic. To date, the summons has not been returned to the court.

On March 15, 2017, the Court directed Celtic to show cause why the Court should not dismiss Celtic’s claims against Elite for failure to serve that entity within the time allowed by the Rules. The order warned Celtic that failure to show cause would result in dismissal of Elite from the lawsuit, without prejudice. Celtic has not responded to the order to show cause, and the time for doing so has passed.

Because Celtic has not served Elite within the time permitted under Federal Rule of Civil Procedure 4(m), its third-party complaint against Elite is hereby dismissed, without prejudice.

IT IS SO ORDERED, this 4th day of April, 2017.

  
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UNITED STATES MAGISTRATE JUDGE