

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

JANE DOE, a Minor, by and through
her Mother and Next Friend, SUSAN DOE

PLAINTIFF

v.

No. 2:10CV00109 JLH

ANDREW T. GAY, Individually and in his
Official Capacity as an Officer or Agent of the
Marianna Police Department; and the
CITY OF MARIANNA, ARKANSAS

DEFENDANTS

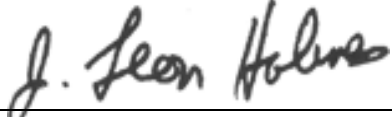
ORDER

This action was commenced on August 4, 2010, against Andrew T. Gay and the City of Marianna, Arkansas. The record does not reflect that Gay was served with summons and complaint, nor has Gay entered an appearance. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 120 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 Court hereby gives notice that it will dismiss the action against Andrew T. Gay unless within seven days from the entry of this Order the plaintiff shows good cause for failure to serve Gay with summons and complaint.

IT IS SO ORDERED this 22nd day of March, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE