

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

SANDRA DEE SMITH

PLAINTIFF

v.

3:08CV00039 JTR

MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration

DEFENDANT

ORDER

Although the Complaint in this case was filed March 18, 2008, no return of service has been filed indicating that proper service has been obtained on Defendant.

Under these circumstances, the Complaint is subject to dismissal. Fed.R.Civ.P. 4(m); *Bryant v. Brooklyn Barbecue Corp.*, 932 F.2d 697 (8th Cir.), *cert. denied*, 502 U.S. 1005 (1991); *Ouzts v. Cummins*, 825 F.2d 1276 (8th Cir. 1987).

Plaintiff must obtain service on Defendant within 30 days of the entry of this Order, or the Complaint will be dismissed.

IT IS SO ORDERED this 5th day of December, 2008.


UNITED STATES MAGISTRATE JUDGE