

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

DAVID REES

PLAINTIFF

v.

CASE NO. 3:08-CV-00147 BSM

**CITY OF JONESBORO;
MICHAEL MCQUAY, in his
individual capacity; and PHILLIP
CREGO, in his individual capacity**

DEFENDANTS

ORDER

Plaintiff David Rees was ordered on July 22, 2009, to file a statement on or before August 20, 2009, showing cause why defendant Phillip Crego should not be dismissed for failure to obtain service within the time set forth under Federal Rule of Civil Procedure 4(m). Rees was cautioned that failure to comply with the show cause order would result in the dismissal of defendant Crego without prejudice. To date, Rees has failed to file a show cause statement. Therefore, defendant Phillip Crego is dismissed without prejudice.

Accordingly, defendant Phillip Crego is dismissed without prejudice.

IT IS SO ORDERED THIS 21st day of August, 2009.



UNITED STATES DISTRICT JUDGE