

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

**CHARLES SCOTT STOVALL**

**PLAINTIFF**

**v.**

**NO. 3:08CV00175 BD**

**MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration**

**DEFENDANT**

**ORDER**

Although the complaint in this case was filed November 5, 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 date of this Order, or the complaint will be dismissed.

IT IS SO ORDERED this 6th day of October, 2009.



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UNITED STATES MAGISTRATE JUDGE