

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

LLOYD SALES COMPANY, INC.

PLAINTIFF

VS.

NO. 4:08CV001976JMM

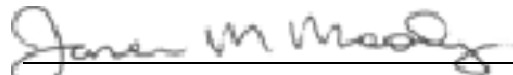
THE GAME, L.L.C.

DEFENDANT

ORDER

Pending is Defendant's motion to dismiss. (Docket # 3). Plaintiff filed its complaint on September 5, 2008. More than one hundred and twenty days have passed since the filing of the Complaint and no affidavit of service has been filed. Defendant filed its motion to dismiss for failure to prosecute on January 30, 2009. Plaintiff has not responded. For good cause shown, Plaintiff's complaint is hereby dismissed without prejudice for lack of prosecution.

IT IS SO ORDERED this 17th day of February, 2009.



James M. Moody
United States District Court