

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

CHARLES W. BROOKS, SR.

PLAINTIFF

v.

Case No. 4:09-cv-815-DPM

RIVENDELL BEHAVIORAL HOSPITAL

DEFENDANT

ORDER

On 2 March 2011, Rivendell served Charles Brooks's widow with a statement noting the death of the Plaintiff. *Document No. 40-1, at 1.* More than ninety days have passed since that service, and no successor or representative has moved for substitution. Brooks's complaint is therefore dismissed without prejudice. FED. R. CIV. P. 25(a)(1).

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

12 July 2012