

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

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:10CV00026 JLH

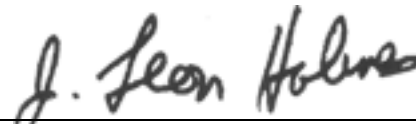
DAN A. NICHOLS

DEFENDANT

**ORDER**

On May 19, 2010, the Court entered an order giving notice to the plaintiff that the Court would dismiss this action without prejudice unless proof of service was filed on or before June 2, 2010, or the plaintiff establishes good cause for failure to serve summons and complaint within 120 days after the filing of the complaint. The plaintiff has not filed proof of service nor shown good cause for failure to serve the summons and complaint within 120 days. Therefore, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, this action is dismissed without prejudice.

IT IS SO ORDERED this 4th day of June, 2010.



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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE