

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

DANNY CARLTON

PLAINTIFF

v.

CASE NO. 4:11cv00081 JMM

ARKANSAS STATE HIGHWAY &
TRANSPORTATION DEPARTMENT

DEFENDANT

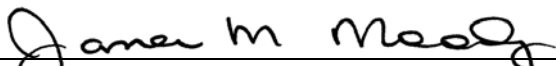
ORDER

On February 8, 2011, the Court denied Plaintiff's motion to proceed *in forma pauperis* and directed Plaintiff to submit the \$350.00 filing fee. Plaintiff paid the filing fee on March 1, 2011 (DE #10). In the Orders of February 8 and March 11, 2011, the Court advised Plaintiff of his responsibility to obtain service on Defendant. As of this date, Plaintiff has failed to obtain service upon Defendant.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, if service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

Plaintiff is directed to provide proof of service as to Defendant within 20 days after entry of this Order. Failure to provide proof may result in the case being dismissed without prejudice.

IT IS SO ORDERED this 3rd day of August, 2011.


UNITED STATES DISTRICT JUDGE