

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

CEDRIC AUSTIN,  
ADC #116669

PLAINTIFF

v.

4:11-cv-00601-SWW-JTK

CARL LYNN JOHNSON, et al.

DEFENDANTS

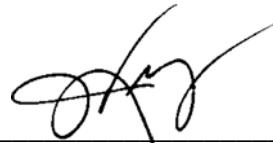
**ORDER**

Plaintiff originally filed this action on August 2, 2011 (Doc. No. 2). The Court notes that as of this date, remaining Defendants Carl Lynn Johnson and Nelson have not been served (Doc. Nos. 23, 24). According to FED.R.CIV.P. 4(m), a Defendant must be served within 120 days of the filing of the Complaint, and **after notice to the plaintiff**, the Court “must dismiss the action without prejudice against that Defendant or order that service be made within a specified time...”

Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff shall have one last opportunity in which to provide a present address on Defendants Johnson and Nelson within thirty days of the date of this Order. Failure to provide such or obtain service on these Defendants shall result in the dismissal of Plaintiff’s Complaint, without prejudice.

IT IS SO ORDERED this 19<sup>th</sup> day of January, 2012.



---

JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE