

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

WAYNE FREDERICK POLAND,
ADC #145512

PLAINTIFF

V.

5:10-cv-00263-JLH-JTK

DONNY FORD, et al.

DEFENDANTS

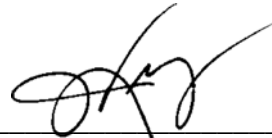
ORDER

Plaintiff originally filed this action on August 25, 2010 (Doc. No. 1). The Court notes that as of this date, Defendants Timothy Steward and Christal Martindale have not been served (Doc. Nos. 42, 43). 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 present addresses on Defendants Timothy Steward and Christal Martindale, within ten days of the date of this Order. Failure to provide such or obtain service on these Defendants shall result in their dismissal from Plaintiff’s Complaint.

IT IS SO ORDERED this 18th day of May, 2011.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE