

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

EDWARD EUGENE MAYBERRY, JR.

PLAINTIFF

v.

NO. 5:12CV00136 JLH/JTR

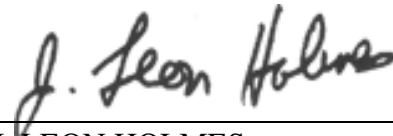
TANYA LYMAN, Correctional Officer,
Arkansas Department of Correction, *et al.*

DEFENDANTS

ORDER OF DISMISSAL

On April 18, 2012, Edward Mayberry, Jr.'s retained counsel filed a § 1983 complaint alleging that defendants Lyman, McConnell, and Kitchens violated his constitutional rights. Mayberry did not serve the defendants within 120 days of filing that complaint, as required by Fed. R. Civ. P. 4(m). Accordingly, on August 21, 2012, the Court issued an order to show cause giving Mayberry fourteen days to explain why this case should not be dismissed due to a lack of service. Mayberry did not respond to the order to show cause or serve the defendants, and the time for doing so has expired. Thus, this case is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 10th day of September, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE