

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

FREDRICK MASON,  
ADC #109138

PLAINTIFF

v.

5:12-cv-00160-SWW-JTK

WENDY KELLEY, et al.

DEFENDANTS

**ORDER**

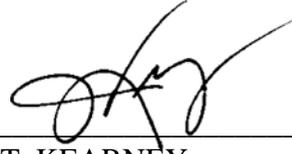
By Order dated June 15, 2012, this Court directed the issuance of summons and service of Plaintiff's Amended Complaint on Defendants (Doc. No. 8). Summons was returned, unexecuted, with respect to Defendants Cynthia Thompson, Iona Wade, and William Warren on July 26, 2012 (Doc. Nos. 19-21). Included with the returns for Defendants Wade and Warren, and filed under seal, are memos containing their last-known addresses (Doc. Nos. 20-21). However, a memo attached to the return for Defendant Cynthia Thompson states Defendants are unable to identify this Defendant (Doc. No. 19). Accordingly,

IT IS, THEREFORE, ORDERED that the Clerk of the Court shall prepare summons for the Defendants Iona Wade and William Warren, and the United States Marshal is hereby directed to serve a copy of the summons and Amended Complaint (Doc. No. 6) on Defendants at the addresses provided under seal, without prepayment of fees and costs or security therefore.

Plaintiff is hereby notified that FED.R.CIV.P. 4(m) requires that a Defendant 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..." Therefore, Plaintiff should provide additional identifying information or a last-known address for Defendant Cynthia Thompson as soon as possible, or risk having her dismissed for

failure to serve in accordance with Rule 4.

IT IS SO ORDERED this 31<sup>st</sup> day of July, 2012.

A handwritten signature in black ink, appearing to read 'JK', is written above a horizontal line.

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JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE