

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

JAMES E. BUTLER,
ADC #145762

PLAINTIFF

v. 5:12CV00295-JLH-JTK

CONNIE HUBBARD, et al.

DEFENDANTS

ORDER

Plaintiff originally filed this action on July 31, 2012 (Doc. No. 2). The Court notes that as of this date, Defendant Roland Anderson has not been served, despite two attempts (Doc. Nos. 11, 23). 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 Roland Anderson within thirty days of the date of this Order. Failure to provide such or obtain service on Defendant Anderson shall result in his dismissal from Plaintiff’s Complaint.

IT IS SO ORDERED this 27th day of June, 2013.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE