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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT N. JOHNSON,

Plaintiff,

No. CIV S-11-2590 KJM-KJN

vs.

LIEN P. TRUONG; and PROTECH ROOFING
LLC,

Defendants.

ORDER

Plaintiff filed the complaint in the above-captioned action on September 30, 2011. (ECF 1.) In accordance with Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Defendant Protech Roofing, LLC has not been served within 120 days of the complaint being filed.

Accordingly, the court hereby ORDERS:

1) Plaintiff shall serve Protech Roofing, LLC with the complaint within fourteen (14) days of the filing of this order;

2) Failure to serve Protech Roofing, LLC will result in its dismissal from this action; and

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3) The February 16, 2012 status (pretrial scheduling) conference set in this action is hereby VACATED, to be reset as necessary after the expiration of the fourteen (14) days allotted to plaintiff by this order.

IT IS SO ORDERED.

DATED: February 13, 2012.


UNITED STATES DISTRICT JUDGE