

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 09-cv-00630-LTB-CBS

TYRONE WALKER ALLEN,

Plaintiff,

v.

KEVIN CLARK,
UNITED PROPERTIES AND CONSTRUCTION, INC.,

Defendants.

ORDER

THIS MATTER comes before the Court, sua sponte for review. An Order to Show Cause was issued on September 21, 2009 (Doc 2) giving Plaintiff up to and including October 13, 2009 to show cause why this matter should not be dismissed for failure to serve pursuant to Rule 4(m), Federal Rules of Civil Procedure. To date no response has been filed or good cause shown. It is therefore

ORDERED that this matter is **DISMISSED WITHOUT PREJUDICE.**

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: January 26, 2010