

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ROY HILL, :
: Plaintiff, :
: :
v. : CASE NO. 3:12CV1097 (DFM)
: :
COMMISSIONER OF SOCIAL :
SECURITY, :
: :
Defendant. :
:

NOTICE

Rule 41(a) of the Local Rules of this District provides:

Failure to Prosecute. In civil actions in which no action has been taken by the parties for six (6) months or in which deadlines established by the Court pursuant to Rule 16 appear not to have been met, the Clerk shall give notice of proposed dismissal to counsel of record. If such notice has been given and no action has been taken in the action in the meantime and no satisfactory explanation is submitted to the Court within twenty (20) days thereafter, the Clerk shall enter an order of dismissal. Any such order entered by the Clerk under this rule may be suspended, altered, or rescinded by the Court for cause shown.

Rule 4 of the Federal Rules of Civil Procedure requires that a defendant be served within 120 days after the complaint is filed and that the plaintiff file proof of service. The plaintiff filed the complaint in July 2012. More than 120 days have elapsed since the complaint was filed but the plaintiff has not made proof of service as required by Fed. R. Civ. P. 4(1). The case is subject to dismissal because the plaintiff has failed to take steps to enable the Marshal to serve the complaint on the defendant within the time prescribed by law. Unless a satisfactory explanation of

why it should not be dismissed is submitted to the Court within twenty (20) days of the date of this notice, it will be dismissed.

SO ORDERED at Hartford, Connecticut this 18th day of June, 2014.

/s
Donna F. Martinez
United States Magistrate Judge