

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MONICA GIBBS, an individual

Plaintiff,

v.

Case No: 2:12-cv-493-Ftm-38UAM

FAWCETT MEMORIAL HOSPITAL,  
INC., CHARLOTTE  
CARDIOVASCULAR INSTITUTE, P.A.  
and CESAR YEPES,

Defendants.

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**ORDER**

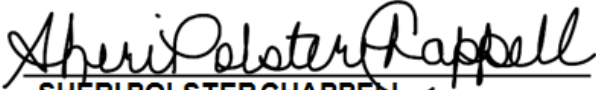
This matter comes before the Court on review of the file. On December 11, 2012, a summons was issued as to Defendant Cesar Yepes. The Complaint was filed on September 5, 2012, thus, the deadline to serve Defendant expired on January 3, 2013, pursuant to Federal Rule of Civil Procedure 4. There is no indication in the docket that Defendant Yepes was served. Further, Defendant Yepes has not responded to the Complaint. If service was effectuated, then Plaintiff should move for default. The Court will direct Plaintiff to file a status report with the Court as to the status of service on Defendant Yepes. Failure to respond will result in Defendant Yepes being dismissed for failure to prosecute.

Accordingly, it is now

**ORDERED:**

Plaintiff is directed to file a status report with the Court as to the status of service on Defendant Yepes on or before **June 7, 2013**.

**DONE** and **ORDERED** in Fort Myers, Florida this 3<sup>rd</sup> day of June, 2013.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record