

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AKB WIRELESS, INC., a Florida
corporation

Plaintiff,

v.

Case No: 2:14-cv-171-FtM-38CM

WIRELESS TOYZ FRANCHISE,
LLC,

Defendant.

_____ /

ORDER¹

This matter comes before the Court on review of Plaintiff's Response to Order to Show Cause ([Doc. 11](#)) filed on August 22, 2014. After Plaintiff filed an amended complaint against Defendant on April 10, 2014, ([Doc. 5](#)), at least 120 days passed and no return of service was filed on the docket. Hence, the Court issued an order to show cause as to why this case should not be dismissed for failure to prosecute. (See [Doc. 10](#)). In response to the Court's order, Plaintiff indicates it timely served Defendant on July 26, 2014. (See [Doc. 11-1](#)). Since service was timely filed, the Court finds good cause not to dismiss this case.


Accordingly, it is now

ORDERED:

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or Web sites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other Web sites, this court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.

1. Due to Plaintiff's Response to Order to Show Cause, ([Doc. 11](#)), no further action is needed with regard to the Order to Show Cause ([Doc. 10](#)).
2. The Clerk is directed to file the return of service on the docket under a separate docket entry. ([Doc. 11-1](#)).

DONE and **ORDERED** in Fort Myers, Florida this 25th day of August, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record