

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**KATHY A. THOMAS,**

**Plaintiff,**

v.

**Case No: 5:17-cv-391-Oc-18PRL**

**COMMISSIONER OF SOCIAL  
SECURITY**

**Defendant.**

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**ORDER**

This matter is before the Court on Plaintiff's motion for an extension of time to effectuate service. (Doc. 9).

Although Federal Rule of Civil Procedure 4(m) directs that service of the summons and complaint be made within 90 days after filing the complaint, the Court has discretion to extend the time for service. *See* Rule 4(m), Fed.R.Civ.P.; *see also Horenkamp v. Van Winkle and Co., Inc.*, 402 F.3d 1129, 1132-33 (11th Cir. 2005)(holding that court may extend the time for service of process under Rule 4(m) even in the absence of a showing of good cause). Plaintiff filed the complaint on August 25, 2017, and thus, service was due by November 23, 2017. According to counsel, a recent review of her cases revealed that the service forms had not been forwarded in a timely manner to the Clerk for delivery to the U.S. Marshal due to damage to her computer and calendaring system following Hurricane Irma. Plaintiff has now forwarded the forms to the Clerk and requests an additional thirty days so that the U.S. Marshal can effectuate service.

Upon due consideration, Plaintiff's motion (Doc. 9) is **GRANTED**. Plaintiff shall effectuate service on or before **December 23, 2017**.

**DONE and ORDERED** in Ocala, Florida on November 21, 2017.



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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties