

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ERIC D. BATTLE, *pro se*,

Plaintiff(s),

v.

CASE NO: 8:09-CV-138-T-30EAJ

CITY OF AUBURNDALE,

Defendant(s).

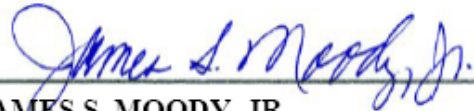
ORDER OF DISMISSAL

Plaintiff(s) has/have failed to show cause, in writing, why this action should not be dismissed for lack of service pursuant to Rule 4(m), Fed. R. Civ. P., in accordance with this Court's Order to Show Cause (Dkt. #5) entered on June 2, 2009. It is therefore

ORDERED AND ADJUDGED as follows:

1. This cause is dismissed without prejudice.
2. All pending motions are denied as moot.
3. The Clerk is directed to close this case.

DONE and **ORDERED** in Tampa, Florida on June 26, 2009.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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