## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA VALDOSTA DIVISION

HEATHER JONES,

Plaintiff,

v. : CASE NO: : 7:22-cv-134 (WLS)

WALMART STORES EAST, LP d/b/a
WAL-MART STORE #899, JOHN DOE,
ABC CORPORATION and
XYZ ENTITY

Defendants.

## **ORDER**

On December 2, 2022, Defendant Walmart Stores East, LP d/b/a Wal-Mart Store #899 ("Walmart") removed the above-captioned case to this Court. By Order (Doc. 50) and Judgment (Doc. 51) entered December 4, 2024, this case was dismissed as to Walmart. The docket reflects that Summonses were not issued for Defendants John Doe, ABC Corporation, or XYZ Entity ("Remaining Defendants"). Nor does the docket reflect that Remaining Defendants have waived service. To the extent Remaining Defendants represent persons or entities whose identity was unknown at the time the Complaint was filed and/or removed to this Court, Plaintiff has not amended the Complaint to identify such parties.

Federal Rule of Civil Procedure 4(m) provides that:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

To date, Plaintiff has not filed notices that service of process has been properly executed on Remaining Defendants or that service was waived.

Accordingly, the Court **ORDERS** Plaintiff to file evidence of returned Summonses executed or waived and/or show cause no later than **Monday**, **January 13**, **2025**, why the

Complaint should not be dismissed for failure to serve Remaining Defendants. Plaintiff is hereby noticed that failure to respond to or comply with this Order will subject this case to dismissal, without prejudice, as to any such unserved Remaining Defendants, and without further notice or proceeding.

**SO ORDERED**, this 6th day of January 2025.

/s/W. Louis Sands W. LOUIS SANDS, SR. JUDGE UNITED STATES DISTRICT COURT