

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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SO. DIST. OF GA.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

TENYIKA SAMS; BRIGITTE BROWN,)
MARIE DAVIS; TOMIKA DUDLEY;)
SHANEQUITA FRAZIER; ADRIAN)
KENNEDY; LESLIE MITCHELL;)
LORETTA MOBLEY; SHANA ROUSE;)
NATALIE WALLACE; LATOYA WHITE;)
JNAI WHITEHEAD; ROSHAUN)
WILLIAMS; SAVANNAH-CHATHAM)
COUNTY FAIR HOUSING COUNCIL,)
INC.; and JEANIE BELALCAZAR;)

Plaintiffs,)

v.)

CASE NO. CV415-282

GA WEST GATE, LLC; AMERICAN)
APARTMENT MANAGEMENT COMPANY,)
INC.; CHG WEST GATE, LLC;)
AMERICAN HOUSING FOUNDATION,)
INC.; MICHELLE ABDOO; and CITY)
OF GARDEN CITY;)

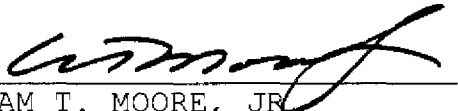
Defendants.)

ORDER

Before the Court is Plaintiffs' Motion to Drop Defendants American Housing Foundation and Michelle Abdo Pursuant to Plaintiffs' Notice of Dismissal. (Doc. 80.) According to Federal Rule of Civil Procedure 4(m), "[i]f 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." Defendants American

Housing Foundation¹ and Michelle Abdoo have not been served in this case. Accordingly, Plaintiffs' motion (Doc. 80) is **GRANTED** and Defendants American Housing Foundation and Michelle Abdoo are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 22nd day of July 2016.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Defendant American Housing Foundation has filed for bankruptcy, which resulted in the imposition of an automatic stay. (Doc. 80 at 2.) However, "the purposes of the Bankruptcy Code [a]re in no way infringed by the dismissal by a plaintiff of a case against the bankrupt without any additional cost or risk to the bankrupt or its creditors." Slay v. Living Ctrs. East, Inc., 249 B.R. 807, 807 (S.D. Ala. 2000) (quoting Chase Manhattan Bank, N.A. v. Celotex Corp., 852 F. Supp. 226, 228 (S.D.N.Y. 1994)).