

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

DERRICK EVANS,
Plaintiff,

v.

10-1431

RHONDA MOORE,
Defendants.

Order of Dismissal

On December 31, 2010, the Plaintiff filed his complaint pursuant to 42 U.S.C. §1983 against five Defendants from Illinois River Correctional Center including Dr. George Castrovello, Dr. Vipin Shah, Rhonda Moore, and Nurses Foley and Allen Kurt. On March 14, 2011, the court noted that only one Defendant was in the case and reminded the Plaintiff that he was responsible for service of process of all Defendants. *See* March 14, 2011 Text Order.

On May 5, 2011, the court held a telephone hearing to check on the status of the Defendants. The court then agreed to continue the hearing until June 23, 2011 to allow more time for the Plaintiff to locate the Defendants. *See* May 5, 2011 Minute Entry.

On June 23, 2011, the court noted that all Defendants except Rhonda Moore and Allen Kurt were now in the case. On its own motion, the court agreed to continue this case until July 29, 2011 to allow one last opportunity for the Plaintiff to locate and serve these individuals. The court noted that if the Plaintiff had not served these two individuals or provided additional information concerning the correct names for both Defendants, the court would dismiss them from the case without prejudice on July 29, 2011.

The Plaintiff has provided no further information and neither Defendant Allen nor Defendant Moore have returned waiver of service forms.

IT IS THEREFORE ORDERED that Defendants Rhonda Moore and Allen Kurt are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m) for failure to provide timely service of process.

Entered this 2nd Day of August, 2011.

s/James E. Shadid

JAMES E. SHADID

UNITED STATES DISTRICT JUDGE