

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

TYRONE HICKS

CIVIL ACTION

VERSUS

NUMBER: 13-0224

JEFFERSON PARISH SHERIFF'S  
OFFICE, ET AL.

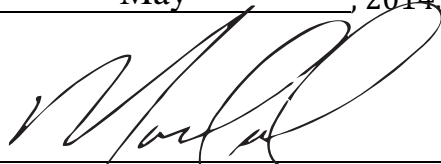
SECTION: "N"(5)

**ORDER AND REASONS**

This case came before the Court on April 30, 2014 at 11:00 a.m. pursuant to a call of the docket directing Plaintiff to show cause why his claims against Defendant, Jimmy Brown ("Brown"), should not be dismissed for failure to prosecute. (Rec. doc. 26). Earlier on in this case, Plaintiff's claims against Brown were dismissed without prejudice for that reason under Rule 4(m), Fed. R. Civ. P., but Plaintiff was subsequently allowed to re-add Brown as a Defendant on the belief that a proper service address for him had been obtained. (Rec. docs. 13, 14, 18, 19). The Court further notes that the trial in this matter was previously continued to afford Plaintiff additional time within which to locate and effect service upon Brown. (Rec. docs. 22, 23). It has now been over fifteen months since this lawsuit was filed and proof of service upon Brown is still lacking. Counsel for Plaintiff having failed to show cause why service of process has not been effected upon Brown,

Plaintiff's claims against said Defendant are hereby dismissed without prejudice for failure to prosecute pursuant to Rule 4(m). *See Redding v. Essex Crane Rental Corp. of Alabama*, 752 F.2d 1077 (5<sup>th</sup> Cir. 1985).

New Orleans, Louisiana, this 20<sup>th</sup> day of May, 2014.



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MICHAEL B. NORTH  
UNITED STATES MAGISTRATE JUDGE