

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ERIC SCHWEITZER

CIVIL ACTION

VERSUS

NO. 21-154-JWD-SDJ

FCA US LLC, ET AL

OPINION

After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated March 4, 2022, (Doc. 10), to which no objection was filed;

IT IS ORDERED that Plaintiff's claims against Matthew Melane are DISMISSED without prejudice pursuant to Rule 4 of the Federal Rules of Civil Procedure and Local Rule 41(b)(1)(A) for failure to serve and failure to prosecute. Because Melane is the only remaining Defendant, his dismissal will result in Plaintiff's cause of action being dismissed in its entirety.¹

Judgment shall be entered accordingly.

Signed in Baton Rouge, Louisiana, on March 23, 2022.

JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

¹ While Plaintiff's claims against Matthew Melone should be dismissed without prejudice, his claims against Chrysler have been dismissed with prejudice. The Court's prior Order dismissing Chrysler gave Plaintiff 28 days to file an amended Complaint correcting the "deficiencies" noted in the Court's Order. (R. Doc. 8 at 10). If Plaintiff failed to file the amendment within 28 days, Chrysler's dismissal would be with prejudice. (R. Doc. 8 at 10). More than 28 days have passed, and no amendment has been filed.