

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

BOBBY C. WEST

\*

Plaintiff,

\*

v.

\*

Civil Action No. RDB-13-2929

AIR WISCONSIN AIRLINES, et al.

\*

Defendants.

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\* \* \* \* \*

**MEMORANDUM ORDER**

Presently pending before this Court is the Motion of the Defendant Air Wisconsin Airlines to Dismiss the Subject Complaint (ECF#7). Specifically, the Defendant argues that the Complaint should be dismissed as a result of the Plaintiff's failure to complete service of process within 120 days after the filing of the Complaint, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. The Defendant further argues that the Plaintiff has failed to comply with this Court's earlier orders with respect to service of process. (ECF#2 and ECF#4)

In response the Plaintiff has filed a two page response to the pending motion (ECF#12). This response essentially states that there was allegedly reference to this case in a deposition related to a Virginia state action between the parties. The Plaintiff has simply failed to explain his non-compliance with the Federal Rules of Civil Procedure. Furthermore, he has failed to meet the good cause requirement of Rule 4(m) in that he has not taken any affirmative action to effectuate service of process upon the Defendant in the year since this Complaint was filed in this Court.

Accordingly, upon consideration of the Defendant Air Wisconsin Airlines' Motion to Dismiss the Complaint (ECF#7), the Memoranda of Law in Support thereof (ECF#7-1, 11 and 13), and the lack of any meaningful response by the Plaintiff;

IT IS HEREBY ORDERED this 29<sup>th</sup> day of October 2014 that said Motion to Dismiss (ECF#7) is GRANTED and this case is DISMISSED WITHOUT PREJUDICE.

\_\_\_\_\_/s/\_\_\_\_\_  
Richard D. Bennett  
United States District Judge