

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 11-10760-GAO

BRANDON ROBERTS,
Plaintiff,

v.

PETER ST. AMAND, et al.,
Defendants.

ORDER
October 17, 2016

O'TOOLE, D.J.

The motion of the plaintiff Brandon Roberts to alter or amend the judgment (dkt. no. 58) is DENIED in part and GRANTED in part.

In light of Roberts' failure to respond to Thomas Neville's motion to dismiss within the extended time period set by the Court, Roberts' motion to alter the judgment is denied as to Neville. (See Order dated July 22, 2016 (dkt. no. 60); see also Order dated March 1, 2016 (dkt. no. 55).) The dismissal of the amended complaint against Neville will stand.

Roberts' request for additional summonses to serve upon the remaining defendants named in the amended complaint is allowed. The Court shall issue summonses and mail them to Roberts with forms and instructions for service by the United States Marshals Service. Roberts is responsible for serving a copy of the summonses, amended complaint, and this order upon the remaining defendants. If so directed by Roberts, the United States Marshal shall complete service with all costs of service to be advanced by the United States. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, the claims against the remaining defendants will be dismissed without

prejudice unless proof of service is filed within twenty-eight (28) days from the date of this order or good cause is shown why service has not been made.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge