

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Robert Leavell and Joella Leavell,

Plaintiffs,

v.

Case No. 08-15278

JP Morgan Chase Bank, Inc., et al.,

Honorable Sean F. Cox

Defendants.

---

**ORDER OF DISMISSAL**

This action was removed to this Court on December 26, 2008.

A routine review of the docket revealed that no summons has been returned executed as to Defendants Barnes & Racette, Incorporated, Guarantee Title and Trust, Incorporated, Ella Yiannatji and Edward Lee, although the time for service under FED. P. CIV. P. 4(m) has expired. Accordingly, on July 6, 2009, this Court issued an "Order Directing Plaintiff to Show Cause," requiring Plaintiffs to show cause, in writing, no later than July 14, 2009, why this case should not be dismissed for failure to effect timely service of process as to the above named defendants (Docket Entry No. 20).

Plaintiffs did not file any response that Order.

Pursuant to this Court's July 6, 2009, Order Directing Plaintiff to Show Cause, and pursuant to FED. R. CIV. P. 4(m), **IT IS ORDERED** that Defendants Defendants Barnes & Racette, Incorporated, Guarantee Title and Trust, Incorporated, Ella Yiannatji and Edward Lee

are hereby **DISMISSED WITHOUT PREJUDICE** from this action.

**IT IS SO ORDERED.**

S/Sean F. Cox  
Sean F. Cox  
United States District Judge

Dated: August 4, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 4, 2009, by electronic and/or ordinary mail.

S/Jennifer Hernandez  
Case Manager