

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Joe Hand Promotions, Incorporated,

Plaintiff,

v.

Case No. 12-15168

Michael Shafer and Pointe Blank LLC,  
doing business as Hard Luck Lounge,

Honorable Sean F. Cox

Defendants.

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**ORDER DISMISSING ACTION WITHOUT PREJUDICE**  
**FOR FAILURE TO PROSECUTE**

Plaintiff filed this action against Defendants on November 23, 2012. A review of the docket reflected that, as of April 10, 2013, no summons had been returned executed as to either Defendant, although the time for service under Fed. R. Civ. P. 4(m) had expired.

As a result, on April 10, 2013, this Court issued a Show Cause Order (Docket Entry No. 5), wherein this Court ordered Plaintiff to show cause, in writing, no later than April 24, 2013, why this action should not be dismissed for failure to effect timely service of process. That Order expressly warned Plaintiff that “[f]ailure to respond may result in dismissal of the case.” (*Id.*).

Plaintiff has not responded to the April 10, 2013 Show Cause Order, and the time permitted for doing so has passed. Accordingly, the Court ORDERS that this action is hereby DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: May 1, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 1, 2013, by electronic and/or ordinary mail.

S/Jennifer McCoy

Case Manager