

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONALD JORDAN,

Plaintiff,

vs.

Case No. 14-cv-11227
HON. GERSHWIN A. DRAIN

THE LAW OFFICES OF KEVIN Z. SHINE PLLC,

Defendant.

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ORDER OF DISMISSAL

On October 23, 2014, this Court entered an Order for Plaintiff to Show Cause Why Case Should Not Be Dismissed Without Prejudice based upon Plaintiff's failure to timely serve the Defendant as required by Federal Rule of Civil Procedure 4(m). See Fed. R. Civ. P. 4(m) ("If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against the defendant . . ."). On March 25, 2014, Plaintiff filed the complaint in this matter. Thereafter, also on March 25, 2014, the clerk issued the Summons for the Defendant. See Dkt. Nos. 2. Thus, Plaintiff was required to serve each Defendant with the Summons and Complaint on or before July 23, 2014. A review of the docket reveals that Defendant has not been served as of today's date.

This Court's October 23, 2014 Order required Plaintiff to respond in writing, no later than October 29, 2014, explaining why this matter should not be dismissed without

prejudice. See Dkt. No. 3. Plaintiff has failed to respond to this Court's Order, therefore Plaintiff has failed to establish that good cause exists for his failure to serve Defendant with the Summons and Complaint within 120 days after filing the Complaint. Thus, this action is dismissed without prejudice.

Accordingly,

The complaint is hereby DISMISSED without prejudice.

SO ORDERED.

Dated: October 31, 2014

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served
upon attorneys of record on
October 31, 2014, by electronic mail.

/s/ Tanya Bankston
Deputy Clerk