

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**CARL G. NICHOLS, III**

**PLAINTIFF**

**V.**

**NO. 4:18-CV-108-DMB-DAS**

**LOTTIE MAE DAWKINS, Individually  
and as Trustee for the Mary Jane Nichols  
Residuary Trust; and THE MARY JANE  
NICHOLS RESIDUARY TRUST**

**DEFENDANTS**

**ORDER**

On October 1, 2018, Carl G. Nichols filed a “Notice of Dismissal” which asks the Court to dismiss this action without prejudice. Doc. #9. As grounds for the requested relief, Nichols asserts that he was unable to “locate the correct addresses of all new defendants to serve timely” and that he requires “time to amend the case to name all additional parties that now exists.” *Id.* at 1.

From the text of the filing, it appears Nichols is under the impression that he needs to dismiss his case to obtain an extension of the service deadline to amend his complaint and serve new defendants. That is not the case. Accordingly, consistent with this Court’s duty to construe pro se filings liberally,<sup>1</sup> Nichols is **DIRECTED** to file a notice with this Court, within fourteen (14) days of the issuance of this order, stating whether he desires an extension of the deadline to serve his complaint or desires to dismiss his action.

**SO ORDERED**, this 15th day of October, 2018.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> *Sossamon v. Lone Star State of Texas*, 560 F.3d 316, 322 n.3 (5th Cir. 2009).