

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

JARROD ALEXANDER LILLY,)
Plaintiff,)
v.) No. 1:11CV0088 HEA
JEFF NORMAN, et al.,)
Defendant.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Plaintiff filed this action on May 18, 2011, against ten defendants. For over a year, the Court dealt primarily with dismissing named defendants for plaintiff's failure to bring a valid claim, and for failure to prosecute altogether. At this time, two defendants –Dr. Jarrod Flood and Debbie Judy– have not yet been served because plaintiff has not provided the Court with their current addresses. On January 31, 2013, the Court ordered Plaintiff to show cause why this matter should not be dismissed for failure to comply with Rule 4(m) of the Federal Rules of Civil Procedure. Plaintiff has failed to show cause.

Rule 4(m) permits the Court to dismiss an action against a defendant without prejudice if a defendant is not served within 120 days after a complaint is

filed.

Accordingly,

IT IS HEREBY ORDERED that this action is dismissed, without prejudice for Plaintiff's failure to effectuate timely service of Defendants Dr. Jarrod Flood and Debbie Judy.

Dated this 23rd day of January, 2014.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE