

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

|                               |   |                           |
|-------------------------------|---|---------------------------|
| JAMIE WILLIAMS,               | ) |                           |
|                               | ) |                           |
| Plaintiff,                    | ) |                           |
|                               | ) |                           |
| v.                            | ) | Case No. 1:17-CV-189-SNLJ |
|                               | ) |                           |
| WERNER ENTERPRISES, INC., and | ) |                           |
| JEFFERY O. MCGHEE             | ) |                           |
|                               | ) |                           |
| Defendants.                   | ) |                           |

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. This case was filed back in October 2017. To date, defendant Jeffery McGhee has not been served. Under Rule 4(m) of the Federal Rules of Civil Procedure,

[i]f a defendant is not served within 90 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 that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.


Fed. R. Civ. P. 4(m). Thus, plaintiff will be given fourteen days to show good cause for why Mr. McGhee has not been served. If plaintiff fails to do so, the case will be dismissed without prejudice against Mr. McGhee.

Accordingly,

**IT IS HEREBY ORDERED** that, by May 29, 2018, plaintiff shall show good cause for why Mr. McGhee has not been served.

IT IS FURTHER ORDERED that if plaintiff does not timely and fully comply with this order, the case will be dismissed without prejudice against Mr. McGhee.

So ordered this 15<sup>th</sup> day of May 2018.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE