

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

MAJOR CALHOUN,)	
)	
Plaintiff,)	
)	
v.)	No. 2:14 CV 88 CDP
)	
CORIZON CORRECTIONAL HEALTH)	
CARE, et al.,)	
)	
Defendant,)	

MEMORANDUM AND ORDER

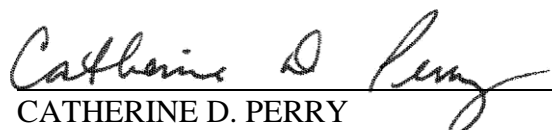
This matter is before me on the unexecuted summons of defendant Dr. Kendis Archer. Defendant's former employer, Corizon, Inc., provided the Court with defendant's last-known contact information, and the Court directed the Marshal's Office to serve him with process. The Marshal's Office was unable to serve defendant, however, because he has moved out of state.

Under Rule 4(m) of the Federal Rules of Civil Procedure, if a defendant is not served within 120 days of the filing of the complaint, the Court must dismiss the action against that defendant. The 120-day period expired on January 2, 2015. Accordingly, the Court will direct plaintiff to show cause why defendant Archer should not be dismissed from this action.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall show cause, no later than **February 9, 2015**, why Archer should not be dismissed from this case.

Dated this 16th day of January, 2015.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE