

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

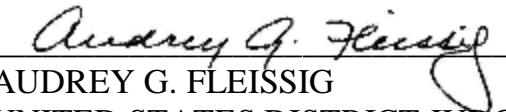
J & J SPORTS PRODUCTION, INC.,)
Plaintiff,)
v.) Case No. 4:13CV01091 AGF
JENNIFER EVANS, et al.,)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Plaintiff filed this action on June 10, 2013. The summonses issued at the time the case was filed were returned unexecuted on July 18, and July 29, 2013. Thereafter, Plaintiff requested the issuance of alias summonses. The alias summonses also were returned unexecuted on December 11, 2013. On December 20, 2013, Plaintiff moved for and was granted leave to attempt to serve the Defendants despite the passage of the 120 day service period mandated by the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 4(m). The Court granted Plaintiff additional time, through March 12, 2014, to effect service. On March 26, 2014, because Plaintiff had not filed proof of service with respect to either Defendant, the Court issued an order requiring Plaintiff to show cause not later than April 5, 2014, why the action should not be dismissed for failure to serve Defendants. As of the date of this Order, Plaintiff has filed neither a response to the Court's order to show cause nor proof of service.

Accordingly,

IT IS HEREBY ORDERED that this action is dismissed without prejudice for failure to effect service of process as required pursuant to Federal Rule of Civil Procedure 4(m).


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 18th day of April, 2014.