Joe Hand Promotions, Inc. v. Parker et al Doc. 8

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Joe Hand Promotions, Inc.,	)	
	)	
Plaintiff,	)	
	)	
V.	)	**Case No. 09-3184-CV-S-JTM**
	)	
Dustyn Parker, et al.,	)	
	)	
Defendants.	)	

ORDER OF DISMISSAL

The complaint in this matter was filed on June 8, 2009. On March 24, 2010 this Court ordered the plaintiff to show cause why this matter should not be dismissed for failure to prosecute in light of the fact that no service upon defendants has been accomplished in over nine months. On April 5, 2010, plaintiff's counsel filed a response to the order show cause indicating that the contracted process server had failed to serve process on defendants as directed. The Court finds the plaintiff's assertion that the contracted process server failed to perform as directed to be merely an assertion of the obvious rather than an explanation with good cause. Accordingly, it is

ORDERED that this matter is DISMISSED FOR FAILURE TO PROSECUTE WITHOUT PREJUDICE.

/s/ John T. Maughmer
JOHN T. MAUGHMER
U. S. MAGISTRATE JUDGE

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