

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

GARY ORAM, JR.,

Plaintiff,

vs.

THE CITY OF DILLON, CETH  
HAGGARD, JEREMY ALVAREZ,  
and JACOB JOHNSON,

Defendants.

CV 15-47-BU-BMM

**ORDER**

Plaintiff filed his Complaint in this case on September 14, 2015. (Doc. 1). A summons was issued for Defendant Jacob Johnson (Johnson) on September 28, 2015. (Doc. 7). Federal Rule of Civil Procedure 4(m) requires service of a summons and complaint within 90 days after the filing of the complaint. The Court issued an Order on December 28, 2016, requiring Plaintiff to show cause by January 27, 2017, why his claims against Johnson should not be dismissed for failure to effect service on Johnson. Plaintiff has failed to respond to the Court's Order. There is no indication in the record that Plaintiff effected service on Johnson.

The Court dismissed all of Plaintiff's claims against Defendants Ceth Haggard, Jeremy Alvarez, and the City of Dillon, with prejudice, on December 20, 2016. (Doc. 132).

Accordingly, IT IS ORDERED:

1. All claims against Defendant Jacob Johnson are dismissed without prejudice for failure to effect service on Johnson.
2. The Clerk is directed to enter a judgment that dismisses all claims against Defendants Ceth Haggard, Jeremy Alvarez, and the City of Dillon, with prejudice; and dismisses all claims against Defendant Johnson without prejudice.

DATED this 23rd day of August, 2017.



---

Brian Morris  
United States District Court Judge