

in Grand Island, Nebraska, dated “2-26-69.” (Id. at CM/ECF pp. 3-4.) These records show that Plaintiff was treated for a “fever” and a “cold.” (Id.)

The court has carefully reviewed Plaintiff’s Supplement. The 26-year-old school evaluation form indicating that Plaintiff had a “learning disability” in school and the medical records showing that Plaintiff was treated for a fever and a cold in 1969 do not explain why Plaintiff failed to serve Defendant. Indeed, Plaintiff does not state that a current disability prevented him from serving Defendant, nor does he attempt to explain how the Supplement relates to his case. In short, Plaintiff has failed to show good cause for his failure to serve Defendant and this matter will be dismissed.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with the court’s orders; and
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 18th day of April, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

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