IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT E. SANFORD,	)	
	)	
Plaintiff,	)	**8:08CV261**
	)	
vs.	)	**ORDER**
	)	
DOUGLAS COUNTY CORRECTIONS, et al.,	)	
	)	
	)	
Defendants.	)	

This matter is before the court sua sponte and pursuant to NECivR 41.1, which states in pertinent part: "The court may at any time dismiss an action for lack of prosecution when it appears it is not being prosecuted with reasonable diligence." Further, Fed. R. Civ. P. 4(m) establishes a 120-day time limit for service of process on the defendant in a civil case, absent a showing of good cause.

In this case the complaint was filed on June 25, 2008, by the plaintiff pro se. **See** Filing No. 1. On August 15, 2008, the court allowed the plaintiff an opportunity to amend the complaint in order to state a claim upon which relief could be granted. **See** Filing No. 9. On September 11, 2008, Jeremy C. Jorgenson entered an appearance for the plaintiff as retained counsel. **See** Filing No. 13. With leave of court, the plaintiff filed an amended complaint on October 29, 2008. **See** Filing No. 18.

Even assuming the deadline for service of process runs from the date of the amended complaint, the deadline expired **on or about February 26, 2009**. One summons has been issued in this case, however there is no proof of service of process on any of the defendants. Therefore, the plaintiff must make a showing of good cause for the failure of service or the action must be dismissed as against all defendants. Upon consideration,

IT IS ORDERED:

The plaintiff shall show cause why this case should not be dismissed for failure to prosecute. The showing of cause shall be filed electronically on or before the close of business **on April 8, 2009**.

Dated this 26th day of March, 2009.

BY THE COURT:
s/ Thomas D. Thalken
United States Magistrate Judge

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