

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MILTON EVANS,	)	
	)	
Plaintiff,	)	8:11CV124
	)	
v.	)	
	)	
FIRST NATIONAL BANK OF OMAHA,	)	MEMORANDUM OPINION
	)	
Defendant.	)	
_____	)	

This matter is before the Court on its own motion. Plaintiff filed this matter on April 4, 2011 (Filing No. [1](#)). After initial review of the complaint and amendment, the Court ordered that summons be issued (Filing No. [9](#)). The clerk of the court sent a summons form and a USM-285 form to plaintiff on August 22, 2011. (*Id.*) However, plaintiff has not returned the forms and has not completed service of process on defendant. Indeed, plaintiff has taken no action in this matter since he filed his amended complaint on July 1, 2011. (See Docket Sheet.)

On January 19, 2012, the Court entered a Memorandum and Order directing plaintiff to show cause why this case should not be dismissed for failure to complete service of process (Filing No. [10](#)). In that Memorandum and Order, the Court warned plaintiff that failure to do so by February 17, 2012, would result in dismissal of this matter "without prejudice and without further notice." (*Id.*) Plaintiff did not respond to the Court's

January 19, 2012, Memorandum and Order. A separate order will be filed dismissing this action without prejudice.

DATED this 28th day of February, 2012.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court