

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

HOME INSTEAD, INC.,)	
)	
Plaintiff,)	8:12CV186
)	
vs.)	ORDER
)	
HOME CARE SERVICES NETWORK, LLC, d/b/a HOME INSTEAD)	
HOME CARE SERVICES, LLC.,)	
)	
Defendant.)	

This matter is before the court *sua sponte*, and pursuant to [NECivR 41.2](#), which states in pertinent part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.” In this case the complaint was filed on May 25, 2012. See [Filing No. 1](#). The plaintiff filed notice of executing a summons on the defendant on June 4, 2012. See [Filing No. 6](#). No other progress has taken place in this matter. It remains the plaintiff’s duty to go forward in prosecuting the case by, for example, filing a motion for clerk’s entry of default pursuant to [Fed. R. Civ. P. 55](#) and [NECivR 55.1\(a\)](#), as appropriate. Upon consideration,

IT IS ORDERED:

The plaintiff has until the close of business **on August 2, 2012**, to file a motion for clerk’s entry of default or show cause why this case should not be dismissed for failure to prosecute.

Dated this 12th day of July, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge