

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REGINALD B. MAYHUE,)	8:12CV407
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

This matter is before the court on its own motion. Plaintiff filed this matter on November 27, 2012. (Filing No. [1](#).) On January 9, 2013, the Clerk of the court sent summons forms and USM-285 forms to Plaintiff. (Filing No. [4](#).) Plaintiff did not return the forms, and did not complete service of process on Defendant within 120 days after the filing of the Complaint. (*See* Docket Sheet.)

On May 14, 2013, the court entered a Memorandum and Order directing Plaintiff to show cause why this case should not be dismissed. (Filing No. [5](#).) In doing so, the court warned Plaintiff that if he did not respond by May 27, 2013, or if he failed to show good cause, this action would be dismissed without prejudice and without further notice. (*Id.*) The court's May 27, 2013, deadline has now passed and Plaintiff has failed to respond. (*See* Docket Sheet.)

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.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 31st day of May, 2013.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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