

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ARCHBISHOP JOCITA C.
WILLIAMS, PHD.D.D.,

Plaintiff,

vs.

LAND AMERICA LAWYER TITLE,
DOES, et al.,

Defendants.

8:12CV433

ORDER

This matter is before the court after a review of the court file 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." Further, Federal Rule of Civil Procedure 4(m) establishes a 120-day time limit for service of process on any defendant in a civil case, absent a showing of good cause.

In this case the complaint was filed on December 19, 2012. **See** Filing No. 1. The court allowed the plaintiff leave to amend her complaint, which she did on March 22, 2013. **See** Filing No. 7. The court required the plaintiff to again amend her complaint, which she did on June 11, 2013. **See** Filing No. 9. On August 15, 2013, the court dismissed several of the defendants and gave the plaintiff permission to go forward with her June 11, 2013, amended complaint and serve five defendants. **See** Filing No. 10. The Clerk of Court provided the plaintiff with the necessary summonses and forms. **Id.** No defendant has entered an appearance or filed an answer in this matter. The plaintiff has initiated no other action in this matter. There is no evidence in the record the plaintiff served process on the defendants. The deadline for service of process expired on or about December 13, 2013. It remains the plaintiff's duty to go forward in prosecuting the case. Under the circumstances, the plaintiff must make a showing of good cause for the failure of timely service or the action must be dismissed against the defendants. Upon consideration,

IT IS ORDERED:

1. The plaintiff has until the close of business on **January 28, 2014**, to file with the Clerk of Court evidence of service or show cause why this case should not be dismissed as against the defendants for failure to prosecute.

2. The Clerk of Court shall mail a copy of this order to the plaintiff at:

Jocita C. Williams
6221 Gabriel Oaks Drive
Baton Rouge, LA 70820

Dated this 24th day of December, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge