

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

EDWARD F. ST. JOHN,)	
)	
Plaintiff,)	8:13CV306
)	
V.)	
)	
MD E. JEFFREY DONNER,)	ORDER
)	
Defendant.)	
)	

The Complaint in this case was filed on October 2, 2013. To date, no summons has been requested or issued. Consequently, on February 6, 2014, the undersigned entered an order directing Plaintiff to show cause by February 21, 2014, why this action should not be dismissed. ([Filing 4.](#)) Plaintiff did not respond to this order. As a result, on February 25, 2014, the undersigned issued a Findings and Recommendation ([filing 5](#)), recommending to Chief United States District Judge Laurie Smith Camp that this matter be dismissed.

Plaintiff has now filed a motion asking that the undersigned reconsider his recommendation to Judge Smith Camp. ([Filing 6.](#)) In support of his motion, Plaintiff's counsel represents to the Court that his office recently installed a new computer program, and the Court's previous orders were discovered in a "junk mail" folder. Plaintiff's counsel further explains that he has yet to serve the defendant in this action because he is waiting to receive expert reports.

Having considered the matter, the undersigned hereby grants Plaintiff's Motion for Reconsideration ([filing 6](#)) and withdraws and terminates his Findings and Recommendation ([filing 5](#)) entered in this case. Plaintiff shall, however, serve the defendant by or before April 3, 2014.

IT IS SO ORDERED.

DATED March 3, 2014.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**