

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DANIEL C. TANNER,

Plaintiff,

vs.

ROLLING RIVER, LLC, in personam; and  
THE VESSEL RIVER CITY STAR, in rem;

Defendants.

**8:17CV337**

**ORDER TO SHOW CAUSE**

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff - - must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff commenced this action on September 15, 2017 ([Filing No. 1](#)), and the Clerk of Court issued summons for both defendants on September 21, 2017. ([Filing No. 9](#); [Filing No. 11](#)). More than 90 days have elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on Defendants, and Defendants have not entered a voluntary appearance. Accordingly,

**IT IS ORDERED** that Plaintiff shall have until January 12, 2018, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 22<sup>nd</sup> day of December, 2017.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge