

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STACY LOU NUSSRALLAH,

Plaintiff,

vs.

NANCY BERRYHILL, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

8:17-CV-486

ORDER

This matter is before the Court on its own motion. Pursuant to [Fed. R. Civ. P. 4\(m\)](#), a plaintiff must serve process on the defendant within 90 days of filing the complaint. The plaintiff's complaint was filed on December 21, 2017, and the plaintiff has not filed a return of service indicating service on the defendant, nor has the defendant appeared voluntarily. The Court entered an order ([filing 4](#)) directing the plaintiff to show cause on or before April 12, 2018, why her claims should not be dismissed for lack of prosecution. The plaintiff has not responded.

An involuntary dismissal for failure to serve process, failure to comply with the Court's order, or for failure to prosecute, is within the Court's discretion. Rule 4(m); [Fed. R. Civ. P. 41\(b\)](#); see [Schooley v. Kennedy](#), 712 F.2d 372, 373-74 (8th Cir. 1983). The plaintiff has failed to serve process, failed to comply with the Court's orders, and generally failed to prosecute the case.

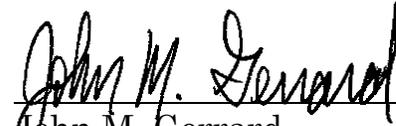
IT IS ORDERED:

1. The plaintiff's complaint is dismissed.

2. A separate judgment will be entered.

Dated this 13th day of April, 2018.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge