

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRIAN HERNANDEZ, personal
Representative for the ESTATE OF SAUL
HERNANDEZ,

Plaintiff,

vs.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

8:18CV62

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 filed the Complaint on February 12, 2018. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on the defendant, filed a waiver indicating that the defendant has been served, nor has the defendant entered a voluntary appearance. Accordingly,

IT IS ORDERED that Plaintiff shall have until June 11, 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 21st day of May, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge