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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 JACK SMITH, SR.,

11 Plaintiff,

12 v.

13 JANET NAPOLITANO,
14 DEPARTMENT OF HOMELAND
SECURITY, *et al.*,

15 Defendants.
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Case No. 2:09-CV-02286-KJD-LRL

ORDER

17 On October 6, 2010, the Court ordered Plaintiff to file proof of service of the summons and
18 complaint within the allowed time no later than October 21, 2010. On October 18, 2010, Plaintiff
19 filed an Affidavit of Service (#25), in which the process server stated that he served the government
20 agency by “delivering a conformed copy of this Civil Rights Complaint [and other documents.]”
21 However, Federal Rule of Civil Procedure (“Rule”) 4(c) requires a copy of the summons and
22 complaint to be served upon defendants within one-hundred and twenty days of the filing of the
23 complaint. Plaintiff’s proof of service does not reflect that he served the summons with the
24 complaint in compliance with Rule 4.
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1 Accordingly, Plaintiff is ordered to file proof that service was made in accordance with Rule
2 4(c), namely that the summons was served with the complaint, within twenty-one (21) days of the
3 entry of this order.

4 DATED this 5th day of November 2010.

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8 Kent J. Dawson
9 United States District Judge
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