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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEAN MILLER,

Plaintiff,

v.

ALLAN R. GRIFFITH, et al.,

Defendants.

2:10-CV-1994 JCM (PAL)

ORDER

Presently before the court is the matter of *Miller v. Griffith et al.* (2:10-cv-01994-JCM -PAL).

On November 15, 2010, plaintiff filed the instant complaint with this court. (Doc. #1). On April 26, 2011, the clerk of the court instructed plaintiff that the action would be dismissed as to defendant Diana M. Steiner pursuant to Federal Rule of Civil Procedure 4(m) if it did not file proof of service of process by May 26, 2011. (Doc. #51). Federal Rule of Civil Procedure 4(m) provides: "If a defendant is not served within 120 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." To date, plaintiff had not filed proof of service with the court as to defendant Diana M. Steiner.

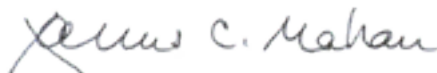
Accordingly,

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IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Diana M. Steiner be, and the same hereby is, DISMISSED from this action without prejudice.

DATED June 10, 2011.


UNITED STATES DISTRICT JUDGE