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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ANDRE BOUDREAU,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

2:11-CV-1980 JCM (CWH)

ORDER

Presently before the court is the matter of *Boudreau v. United States of America*, case number 2:11-cv-1980-JCM-CWH.

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.”

Plaintiff Andre Boudreau filed the complaint on December 9, 2011. (Doc. #1). Pursuant to Federal Rule of Civil Procedure 4(m), on June 27, 2012, the clerk of the court provided notice to plaintiff that the action would be dismissed as to defendant the United States of America if plaintiff did not file proof of service of process by July 27, 2012. (Doc. #4). The United States of America is the only defendant in this case.

To date, the court has not received proof of service of process as to defendant the United States of America, as required under Rule 4(m).

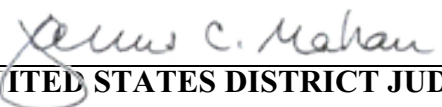
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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case
be, and the same hereby is, DISMISSED without prejudice.

DATED August 2, 2012.


UNITED STATES DISTRICT JUDGE