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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

JAMES BIRKAN,

Plaintiff,

v.

SETERUS, INC., et al.,

Defendants.

Case No. 2:16-cv-2060-APG-PAL

**ORDER DISMISSING DEFENDANT
TOYOTA FINANCIAL SERVICES**

On December 5, 2016, Plaintiff was advised by the court (Dkt. #32) that this action would be dismissed without prejudice as to defendant Toyota Financial Services unless on or before January 4, 2017, Plaintiff filed proper proof of service or showed good cause why such service was not timely made. Plaintiff has failed to file proof of service nor shown good cause. Nor has Plaintiff shown cause why this action should not be dismissed without prejudice as to that defendant for failure to effect timely service pursuant to FRCP 4(m). Therefore,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-entitled action be, and hereby is, **DISMISSED without prejudice** as to defendant Toyota Financial Services. The Clerk of Court is instructed to close this case, as there are no remaining defendants.

Dated: January 9, 2017.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE