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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KEVIN ZIMMERMAN,

Plaintiff(s),

v.

WALGREEN CO.,

Defendant(s).

Case No. 2:17-CV-993 JCM (GWF)

ORDER

Presently before the court is the matter of Zimmerman v. Walgreen Co., case number 2:17-cv-00993-JCM-GWF.

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).

The underlying action was filed on April 6, 2017. On July 12, 2017, pursuant to Federal Rule of Civil Procedure 4(m), the clerk of court filed a notice of intent to dismiss if plaintiff did not provide proof of service by August 11, 2017. (ECF No. 8). To date, plaintiff has not demonstrated proof of service on defendant. Dismissal pursuant to 4(m) is proper.

Accordingly,

IT IS HEREBY ORDERED that Zimmerman v. Walgreen Co. (case number 2:17-cv-00993-JCM-GWF) be, and the same hereby is, DISMISSED without prejudice.

DATED September 21, 2017.


UNITED STATES DISTRICT JUDGE