

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

\* \* \*

MICHAEL FOLEY,

Plaintiff,

VS.

SYLVIA TEUTON, et al.,

## Defendants.

2:17-cv-01024-JCM-VCF

**ORDER GRANTING ENLARGEMENT OF  
TIME TO SERVE (ECF NO. 6)**

Before the court is Plaintiff's Motion to Extend Time to Serve Defendants (ECF No. 6).

Plaintiff seeks to extend the time in which to effectuate service under Federal Rule of Civil Procedure 4(m) on all Defendants. Foley filed an executed Summons on Patricia Foley on July 20, 2017. (ECF No. 5). Patricia Foley was served on June 18, 2017. Defendants Sylvia Teuton, James Harris, Kenneth Bourne, Joseph Lombardo, Steven Wolfson, Clark County, Steven Grierson, and Clark County Detention Center have not been served due to lack of funds. (ECF No. 6). Plaintiff asks this court to grant an enlargement of time to serve the Summons and Complaint on all remaining named defendants. Id. Patricia Foley has not yet appeared in this action.

## Extension For Service

Fed. R. Civ. P. 4(m) requires a defendant to be served within 90 days after the complaint is filed. If “the plaintiff shows good cause for the failure [to serve a defendant within that time-frame], the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m).

Plaintiff asserts that additional time is required to effect service, and asks this court to extend the 4(m) deadline. (ECF No. 6). The Complaint was filed on April 10, 2017. The last day to effectuate service is July 9, 2017. Fed. R. Civ. P. 4(m).

Given that Plaintiff has demonstrated “good cause” for his failure to effectuate service, the court will extend the 4(m) deadline to October 25, 2017. See Fed. R. Civ. P. 4(m).

Accordingly, and for good cause shown,

IT IS HEREBY ORDERED that Plaintiff's Motion to Extend Time to Serve Defendants (ECF No. 6) is GRANTED.

IT IS FURTHER ORDERED that the deadline to effect service of process is extended up to and including October 25, 2017.

DATED this 24th day of August, 2017.

*Carl Gaskins*

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**CAM FERENBACH**  
**UNITED STATES MAGISTRATE JUDGE**