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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KEVIN ZIMMERMAN,  
Plaintiff,  
vs.  
HOME DEPOT U.S.A., INC.  
dba THE HOME DEPOT #3316,  
Defendant.

Case No. 2:17-cv-01454-JCM-GWF

**REPORT AND  
RECOMMENDATION**

Plaintiff’s Complaint (ECF No. 1) was filed on May 20, 2017. Therefore, the time limit for service on Defendant was August 18, 2017. On August 31, 2017, the Court filed a Notice of Intent to Dismiss Pursuant to Rule 4(m) for Plaintiff’s failure to provide proof of service on Defendant. See ECF No. 8. The Court gave Plaintiff until September 29, 2017 to file a proof of service and demonstrate that Defendant was served prior to the expiration of the 90-day time limit set forth in Fed. R. Civ. P. 4(m). *Id.* Plaintiff was cautioned that failure to comply with the Court’s notice could result in a dismissal of the action. *Id.* Rather than file a proof of service, Plaintiff filed a Motion to Extend Time for Service on September 1, 2017. See ECF No. 9. The Court denied Plaintiff’s motion, without prejudice, on September 7, 2017 because Plaintiff did not adequately demonstrate whether good cause existed to grant the requested extension. See *Order* (ECF No. 10). To date, Plaintiff has not filed a renewed motion for extension of time or filed a proof of service with the Court. Therefore, it appears that Plaintiff has abandoned this lawsuit. Accordingly,  
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