

1 motion under Local Rule 7-2(d) alone. Moreover, because Brents has failed to show good cause
2 for her failure to serve Defendants within 120 days of filing, Rule 4(m) mandates dismissal:

3 If a defendant is not served within 120 days after the complaint is filed, the court--
4 on motion or on its own after notice to the plaintiff--must dismiss the action
5 without prejudice against that defendant or order that service be made within a
6 specified time. But if the plaintiff shows good cause for the failure, the court must
7 extend the time for service for an appropriate period.

8 Fed. R. Civ. P. 4(m) (emphasis added). Accordingly, Defendants' Rule 12(b)(5) motion to
9 dismiss is granted, and the complaint is dismissed without prejudice.

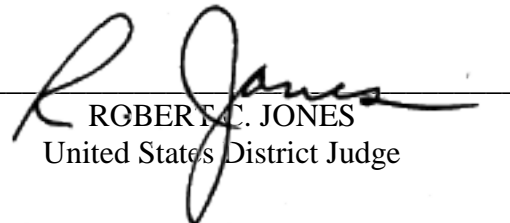
10 **CONCLUSION**

11 IT IS HEREBY ORDERED that Defendants' motion to dismiss (ECF No. 5) is
12 GRANTED.

13 IT IS FURTHER ORDERED that the complaint (ECF No. 2) is DISMISSED without
14 prejudice, and the Clerk of the Court shall close the case.

15 IT IS SO ORDERED.

16 Dated: March 24, 2014

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19 ROBERT C. JONES
20 United States District Judge
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