

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*


JOSEPH ANTONETTI,  
  
v.  
E.K. MCDANIELS, et al.,  
  
Plaintiff,  
  
Defendants.

Case No. 3:16-cv-00396-MMD-WGC

ORDER

The Complaint in this action was filed on April 6, 2017. (ECF No. 4.) The Court issued a notice of intent to dismiss Michael Fletcher, Hampton, and Harold Mike Byrne under Fed. R. Civ. P. 4(m) unless proof of service was filed by May 24, 2019. (ECF No. 49.) To date, no such proof of service has been filed. The Court dismissed the claims against Michael Fletcher and Hampton in a prior order and noted that Harold Mike Byrne would be dismissed if the Office of the Attorney General were unable to find an alternative physical address for him. (ECF No. 70 at 1.) The Office of the Attorney General has not advised the Court whether it is able to find an alternative physical address for Harold Mike Byrne. (See ECF No. 69 at 1 (“The Office of the Attorney General shall advise the court within fifteen (15) days whether it is able to find an alternative physical address for Defendant Harold Mike Byrne.”).) The Court thus assumes that the Office of the Attorney General has not found an alternative physical address for Harold Mike Byrne. Accordingly, it is ordered that the claims against Harold Mike Byrne are dismissed without prejudice.

DATED THIS 3<sup>rd</sup> day of July 2019.

  
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE