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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

KENNETH FRIEDMAN, Plaintiff, v. ISIDRO BACA, et al., Defendants.	Case No. 3:17-cv-00433-MMD-WGC ORDER

The operative complaint in this action incorporates both the First Amended Complaint originally filed on March 27, 2018 (ECF No. 16), and the Supplemental Complaint filed on August 21, 2018 (ECF No. 31). After the Court screened the First Amended Complaint, Plaintiff Kenneth Friedman moved to file the Supplemental Complaint ("Plaintiff's Motion") (ECF No. 26). While Plaintiff's Motion was pending, the Court issued a notice of intent to dismiss I.M. Harris pursuant to Fed. R. Civ. P. 4(m) unless proof of service is filed by September 15, 2018. (ECF No. 28.) The Court subsequently granted Plaintiff's Motion and instructed the Clerk to file the First Amended Complaint along with the Supplemental Complaint. (ECF No. 30.) The Court noted that the Supplemental Complaint would be screened, but the First Amended Complaint would not. (Id.) Although the Supplemental Complaint has not yet been screened, it is apparent that it does not contain any new allegations against I.M. Harris. (See ECF No. 31 at 6-8.) Moreover, no such proof of service regarding I.M. Harris has been filed to date. Accordingly, it is ordered that the claims against I.M. Harris are dismissed without prejudice.

DATED THIS 16th day of October 2018.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

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