NOT FOR PUBLICATION (Doc. No. 5)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

ESTHER GARCIA PEREZ, Plaintiff, v. JANET NAPOLITANO, in her capacity as Secretary of the Department of Homeland Security, and DEPARTMENT OF HOMELAND SECURITY, Defendants.	Civil No. 10-348 (RBK/KMW) **ORDER**

THIS MATTER having come before the Court upon Defendants Janet Napolitano and the Department of Homeland Security's motion to dismiss Plaintiff Esther Garcia Perez's Complaint for failure to properly serve Defendants pursuant to Fed. R. Civ. P. 4(m); and the Court having considered the parties' submissions;

IT IS HEREBY ORDERED that, for the reasons stated in the Court's accompanying Opinion, Defendants' motion to dismiss is denied; and

IT IS HEREBY FURTHER ORDERED that Plaintiff has fourteen days from the date of this Order to properly serve Defendants.

Dated: 1/18/11

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge

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