

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RHONDA LEVAND,

Plaintiff,

v.

No. 14-cv-1103 WJ/SMV

**SANDOVAL COUNTY BOARD OF COMMISSIONERS;
AL CASAMENTO; LYNDA HIGGINBOTHAM;
DEBRA JACCARD; JAN KRUSICK;
NATASHA ROYBAL; FNU PALMER;
CORRECTIONAL HEALTHCARE COMPANIES, INC.;
CORRECT CARE SOLUTIONS, LLC; and
CORRECT CARE SOLUTIONS GROUP HOLDINGS;**

Defendants.¹

ORDER FOR STATUS REPORT

THIS MATTER is before the Court sua sponte. Plaintiff must file a report addressing the status of her (1) settlement with County Defendants² and (2) claims against Defendant Correctional Healthcare Companies, Inc., no later than **February 9, 2017**.

In October of 2016, counsel for County Defendants reported to chambers staff that they had reached a settlement agreement with Plaintiff on August 31, 2016. At that time, counsel anticipated that the settlement would require approval by the Court because a minor child was involved. More than five months have passed since the settlement was reached, but no further action has been taken on the record.

¹ The claims against Defendants Correct Care Solutions, LLC; Correct Care Solutions Group Holdings; Debra Jaccard; Jan Krusick; and Natasha Roybal were dismissed on December 7, 2016. [Docs. 146, 147]. At this time, the remaining Defendants are Sandoval County Board of Commissioners, Al Casamento, Lynda Higginbotham, FNU Palmer, and Correctional Healthcare Companies, Inc.

² Defendants Sandoval County Board of Commissioners, Al Casamento, Lynda Higginbotham, and FNU Palmer identify themselves as "County Defendants." [Doc. 6] at 1.

Relatedly, Plaintiff amended her complaint on October 17, 2016, adding Defendant Correctional Healthcare Companies, Inc. [Doc. 131]. Rule 4(m) of the Federal Rules of Civil Procedure required Plaintiff to serve that Defendant within 90 days, or no later than January 17, 2017. That date has passed, and there is nothing on the record indicating that Defendant Correctional Healthcare Companies, Inc., has been served.

For these reasons, Plaintiff's counsel must file a report addressing (1) the status of the settlement with County Defendants and (2) whether the claims against Defendant Correctional Healthcare Companies, Inc., are proceeding. If Plaintiff intends to prosecute her claims against Defendant Correctional Healthcare Companies, Inc., she must effect service of process immediately or show cause why she needs more time to do so. If she does not intend to prosecute those claims, she must dismiss them or explain why dismissal is not appropriate at this time. The status report must be filed no later than **February 9, 2017**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge