

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:11-CV-205-FL

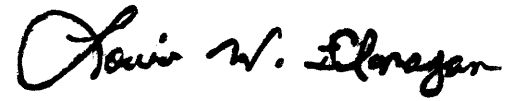
RHONDA P. WATERS)
and MICHAEL WATERS,)
)
Plaintiffs,)
)
v.)
)
SHOWCASE EXCLUSIVE IMPORTS,)
INC.; SHOWCASE SELECT)
IMPORTS; and, VIRGIL WILLIAMS,)
)
Defendants.)

ORDER DISMISSING ACTION
WITHOUT PREJUDICE
FOR FAILURE TO OBTAIN SERVICE

This matter comes now before the court for its review upon plaintiff’s apparent failure to obtain service upon defendants within the appropriate time periods pursuant to Fed. R. Civ. P. 4(m). On April 19, 2012, plaintiff was noticed by the clerk of the failure to make service and instructed plaintiffs to comply within fourteen (14) days of receipt of the notice. Plaintiffs’ counsel responded on May 4, 2012 [DE # 19] citing issues preventing service of the defendants at that time and indicating detailed efforts underway to rectify same. Subsequently, counsel filed a motion seeking to extend the time for service. In this court’s order entered May 14, 2012, at DE # 22, plaintiffs were granted an additional sixty (60) days within which to serve the summons and complaint. With that time now too having expired, and with no good cause having been demonstrated as to why such service has not been made within the prescribed and extended time periods, this action is DISMISSED without prejudice.

The Clerk is directed to CLOSE this case.

SO ORDERED this the 6th day of August, 2012.

A handwritten signature in black ink that reads "Louise W. Flanagan". The signature is written in a cursive style with a large initial 'L'.

LOUISE W. FLANAGAN
United States District Judge