

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:12-cv-00373-MR-DLH**

**AL HAMRA TRADING EST.,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **DIAMONDBACK TACTICAL, LLLP;** )  
 **D-BACK ACQUISITION CO.; FIRST** )  
 **CHOICE ARMOR AND EQUIPMENT,** )  
 **INC.; KAREN HERMAN; and** )  
 **DANIEL WALSH,** )  
 )  
 **Defendants.** )  
 )

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**ORDER**

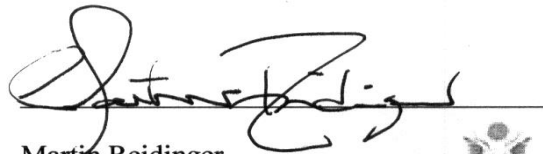
**THIS MATTER** is before the Court *sua sponte*.

The Plaintiff initiated this action on November 20, 2012. [Doc. 1]. All of the Defendants have answered the Complaint with the exception of Defendant First Choice Armor and Equipment, Inc. (“First Choice”). [See Docs. 51, 52, 55]. An Affidavit of Service filed by the Plaintiff on April 5, 2013, indicates that First Choice was served with process on March 21, 2013. [Doc. 32]. To date, however, First Choice has not made an appearance or otherwise defended this action, and the Plaintiff appears to have made no effort to prosecute the action further against this Defendant.

Accordingly, **IT IS, THEREFORE, ORDERED** that within fourteen (14) days of this Order, the Plaintiff shall file an appropriate motion or otherwise take further action with respect to Defendant First Choice. The Plaintiff is advised that failure to take further action against First Choice will result in the dismissal of this Defendant.

**IT IS SO ORDERED.**

Signed: October 1, 2013

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger  
United States District Judge

