

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-cv-314-RJC-DSC**

GREGORY JEROME MILLER,

Plaintiff,

vs.

CAROLINAS HEALTHCARE SYSTEM,

Defendant.

ORDER

THIS MATTER comes before the Court sua sponte. Plaintiff filed his Complaint on May 16, 2012. (Doc. No. 1). However, the docket contains neither (1) a return of summons or proof of service of the Complaint on Defendant nor (2) an executed waiver of service by Defendant. Federal Rule of Civil Procedure 4(m) provides as follows:

If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Plaintiff had until September 13, 2012 to serve his Complaint on Defendant. Plaintiff must file proof of service of his Complaint on Defendant or show good cause for his failure to do so within 14 days of the date of this Order or his case will be dismissed without prejudice.

IT IS, THEREFORE, ORDERED that Plaintiff must file proof of service of his Complaint on Defendant or show good cause for his failure to do so within 14 days of the date of this Order.

Signed: September 19, 2012

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

