

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-00528-RJC-DSC**

**HARRY LEE DAWSON and RITA
DAWSON,**)
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 Plaintiffs,)
)
)
 v.)
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)
 **A PLACE AT THE BEACH, LLC, SPM)
RESORTS, INC., and PRA &)
ASSOCIATES INC.,)
)
)
 Defendants.)
)
 _____)**

ORDER

THIS MATTER comes before the Court sua sponte. Plaintiffs filed their Complaint in the Asheville Division of the Western District of North Carolina on August 26, 2015. (Doc. No. 1). Upon motion by Plaintiffs, the case was transferred to this Division on October 30, 2015. (Doc. No. 3). More than five months later, Plaintiffs submitted the summonses for issuance by the Clerk of Court, and the summonses were issued on April 12, 2016. (Doc. No. 6).

At the time this Complaint was filed, Federal Rule of Civil Procedure 4(m) provided 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.

Plaintiffs had until December 24, 2015, within which to serve their Complaint on the defendants. That time has long expired. Consequently, Plaintiffs shall have fourteen (14) days from the entry of this Order within which to perfect service upon the defendants and provide the Court with proof of service or to show good cause for their failure to perfect service. Plaintiffs

are hereby warned that failure to perfect service or show good cause by this deadline will result in their case being DISMISSED without prejudice.

IT IS, THEREFORE, ORDERED that Plaintiffs perfect service upon the defendants and provide the Court with proof of service or show good cause for their failure to perfect service within **fourteen (14) days** of this Order. **Failure to provide the Court with proof of service or to show good cause for the failure of service within fourteen (14) days will result in dismissal of the Complaint.**

Signed: April 22, 2016



Robert J. Conrad, Jr.
United States District Judge

