

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

MARK R. WINKLE,

Plaintiff,

:

Case No. 3:14-cv-020

- vs -

District Judge Thomas M. Rose

Magistrate Judge Michael R. Merz

CAROL S. LORANGER, et al.,

Defendants.

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**ORDER**

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This case is before the Court on Notice from the United States Attorney for the Southern District of Ohio of apparently insufficient service of process in this case on the United States Department of Education Secretary Duncan (Doc. No. 10). Upon review of the docket, the Magistrate Judge finds summons has been returned executed on the Department of Education only by sending a copy of the Complaint to the Department of Education (See Doc. No. 6). The requirements for service on the federal defendants is correctly set forth in the Notice.

This case was filed on January 21, 2014 (Doc. No. 1). Under Fed. R. Civ. P. 4(m), service of process must be completed within 120 days of filing which in this case is May 21, 2014. As to any Defendants upon which service has not been perfected by May 21, 2014, the

Magistrate Judge will recommend dismissal for want of prosecution.

April 7, 2014.

s/ *Michael R. Merz*  
United States Magistrate Judge