

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

JERALD POWELL,

Plaintiff,

vs.

Case No. 12-CV-48-CVE-FHM

MICHAEL J. ASTRUE,
Commissioner, Social Security
Administration,

Defendant.

OPINION AND ORDER

The docket in the above referenced case does not indicate that summons was issued with the complaint filed on February 7, 2012. Pursuant to Fed.R.Civ.P. 4(c), (i) summons is required to effectuate service. An action is subject to dismissal under Fed.R.Civ.P. 4(m), after notice to the plaintiff, if service is not effected within 120 days after the complaint is filed. The complaint in this case was filed on February 7, 2012, over 120 days ago. Further, the docket reflects that on February 8, 2012, counsel was advised of the necessity of obtaining local counsel. [Dkt. 8]. There has not been an entry of appearance by local counsel.

In accordance with Fed. R. Civ. P. 4(m), Plaintiff is HEREBY ORDERED to effect service on Defendant and to file a return of service on or before July 31, 2012. Plaintiff is also ordered to comply with the requirement of LCvR 83.3 to obtain the association of local counsel in this case on or before July 31, 2012. Plaintiff is notified that failure to comply with the terms of this Order will result in a recommendation that the action be dismissed.

SO ORDERED this 9th day of July, 2012.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE