

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Joshua Lee Ferguson, James Robert Reeves,)	Civil Action No.: 6:08-1598-HFF-BHH
)	
)	
Plaintiffs,)	
)	<u>REPORT AND RECOMMENDATION</u>
vs.)	<u>OF MAGISTRATE JUDGE</u>
)	
Accounts Receivable Management, Inc.; JP Morgan Chase Bank, NA,)	
)	
Defendants.)	

The plaintiffs, proceeding *pro se*, filed this action on April 15, 2008. Pursuant to Federal Rule of Civil Procedure 4(m), service of the summons and complaint must be made within 120 days of the date the complaint is filed (in this case, August 18, 2008. Fed. R. Civ. P. 4(m)). There is no indication that the plaintiffs have ever served Defendant JP Morgan Chase Bank, NA, who has not appeared in this case.

By order of this Court filed July 7, 2008, the plaintiffs were specifically reminded of their obligation to make proof of service. Because the plaintiffs are proceeding *pro se*, another order was filed August 25, 2008, reminding the plaintiffs of this deadline and giving them until September 14, 2008, to make proof of timely service. The plaintiffs were specifically advised that if they failed to respond, this action would be subject to dismissal. To date, the plaintiffs have failed to provide the Court with evidence that service has been accomplished.

Wherefore, it is recommended that this case be dismissed *without prejudice*.

s/Bruce Howe Hendricks
United States Magistrate Judge

September 16, 2008
Greenville, South Carolina