

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

<p>DARRIN TROY AMOS,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>JOSHUA KLEMIK, UNIT MANAGER, MDSP; TRAVIS TJEERDSMA, CASE MANAGER, MDSP; TAMMY DEJONG, UNIT COORDINATOR, MDSP; JIM HALSEY, CULTURAL AFFAIRS COORDINATOR (CAC), MDSP; MICHAEL MEYER, CORRECTIONAL OFFICER (CO), MDSP; SPAK, CO, MDSP; MS. NIXON, CO, MDSP; ROBERT DOOLEY, WARDEN, MDSP, DIRECTOR OF PRISON OPERATIONS FOR SD DOC; AND UNKNOWN DEPARTMENT OF CORRECTIONS STAFF,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: right;">4:15-CV-04044-KES</p> <p style="text-align: center;">ORDER</p>
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Plaintiff Darrin Troy Amos filed this prisoner civil rights action on January 30, 2015. On May 29, 2015, the court ordered Mr. Amos' complaint to be served. To-date, service has not been made on any of the defendants. Further, mail sent to Mr. Amos has been returned by the post office as undeliverable with the notation "released from S.D. Dept of Corr." Mr. Amos has not advised the court of his new address.

Plaintiff is advised of Federal Rule of Civil Procedure 4(m) which provides:


Time Limit for Service. 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. . . .

Accordingly, it is hereby

ORDERED that Mr. Amos is advised he shall have until October 30, 2015, to serve the summons, complaint, order for service, and this order upon defendants. If service is not made by October 30, 2015, the case will be dismissed without prejudice.

DATED this 5th day of October, 2015.

BY THE COURT:



VERONICA L. DUFFY

United States Magistrate Judge