

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

PAUL A. STRICKLAND,)	
)	
Plaintiff,)	
)	
v.)	No. 3:11-CV-71
)	(Phillips)
ANDREW D. WATTS, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

Plaintiff filed this action on February 10, 2011. No activity in the case has occurred since that time. On June 7, 2013, plaintiff was ordered to show cause in writing why this action should not be dismissed for failure to prosecute. No response has been filed.

Rule 4(m) of the Federal Rules of Civil Procedure states:

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 the defendant or order that service be made within a specified time.

Here, plaintiff has failed to serve the summons and complaint on any defendant within 120 days of filing the complaint; and plaintiff has failed to respond to the court's show cause

order, indicating to the undersigned that plaintiff has no desire to prosecute this case. Accordingly, the court finds that this action shall be **DISMISSED as to all defendants, without prejudice**, due to plaintiff's failure to prosecute.

ENTER:

s/ Thomas W. Phillips
United States District Judge