

IN THE UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF TEXAS  
 DALLAS DIVISION

**JOHN ANTHONY CASTRO,**

Plaintiff,

v.

**THE CITY OF GRAND PRAIRIE;  
 ELLIS COUNTY; BRAD NORMAN;  
 and STEVE COLLINS,**

Defendants.

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Civil Action No. **3:21-CV-885-L-BN**

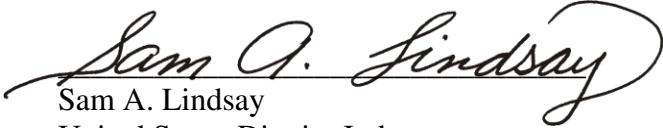
**ORDER**

On September 22, 2021, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 14) was entered, recommending that this action be dismissed without prejudice pursuant to Federal Rules of Civil Procedure 4(m) and 41(b), for: (1) failure to effect service timely and show good cause for an extension to serve Defendants; and (2) failure to prosecute and comply with the magistrate judge’s order, requiring him to respond by September 13, 2021, regarding this deficiency. No objections to the Report were filed as of the date of this order, and the deadline for filing objections has expired.

As correctly noted by the magistrate judge, this case was filed by Plaintiff on April 16, 2021, and, as a result of his payment of the filing fee on April 22, 2021, he was responsible for effecting service on Defendants in accordance with Rule 4(m). As of this date, more than 90 days have passed from the date this action was filed and the date Plaintiff paid the filing fee, and there is still no indication from the docket sheet that Plaintiff has served Defendants. Moreover, Plaintiff has not requested an extension of the deadline set by the magistrate judge, or shown good cause

for his failure to effect service as to Defendants as ordered. Accordingly, pursuant to Rule 4(m), this action is **dismissed without prejudice**.

**It is so ordered** this 7th day of October, 2021.

  
Sam A. Lindsay  
United States District Judge