

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

THOMAS ALLEN STORMER,

Plaintiff,

v.

Civil Action No. **3:12CV119**

**VA BEACH CORRECTIONAL CENTER
MEDICAL DEPARTMENT, *et al.*,**

Defendants.

MEMORANDUM OPINION

Thomas Allen Stormer, a former Virginia inmate proceeding *pro se* filed this civil rights action. The matter is before the Court on Stormer's failure to serve the defendants within the time required by Federal Rule of Civil Procedure 4(m).¹

Pursuant to Federal Rule of Civil Procedure 4(m), Stormer had one hundred and twenty (120) days from the filing of the complaint to serve the defendants. Here, that period commenced on May 30, 2013. By Memorandum Order entered on January 15, 2014, the Court directed Stormer, within eleven (11) days of the date of entry thereof, to show good cause for his

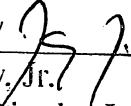
¹ Rule 4(m) provides:

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. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j)(1).

failure to serve the defendants within the time required by Rule 4(m). Stormer has not responded. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall issue.

Date: 3/2/14
Richmond, Virginia

/s/ 

John A. Gibney, Jr.
United States District Judge