

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JANE'E THOMAS,

Plaintiff,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil Action No. 08-638 (CKK)

MEMORANDUM OPINION

(October 2, 2008)

Plaintiff filed her complaint on April 11, 2008. On August 29, 2008, this Court issued an Order instructing Plaintiff that failure to serve Defendants by September 26, 2008, would result in dismissal of this case without prejudice in accordance with Rule 4(m). According to the Court's review of the case docket on the date of this Order, service of the summons and complaint still has yet to be made by Plaintiff on Defendants. According to Rule 4(m) of the Federal Rules of Civil Procedure:

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion *or on its own initiative after notice to the plaintiff*, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m) (emphasis added).

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and this Court's August 29, 2008, Order, the Court shall dismiss this case without prejudice for Plaintiff's failure to

serve the summons and complaint on Defendants. An appropriate Order accompanies this Memorandum Opinion.

Date: October 2, 2008

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge