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STANLEY A. SLUPKOWSKI,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 09-2169 (RWR)
)	
SECRETARY OF STATE <i>et al.</i> ,)	
)	
)	
Defendants.)	
)	

Because plaintiff had not filed proofs of service upon the listed defendants, he was ordered on May 12, 2010, to show cause by June 15, 2010, why this case should not be dismissed. On June 28, 2010, plaintiff filed a document captioned “Second Notice of Cancellation [sic] of Case Number 01-09-CV-02169 (RWR) Second Notice of Replacement of this Filing with New Filing in the District of Columbia District of Columbia District Court Operation Red Herring Secretary of (the Navy Court for the Correction of Military Records and (Injustices)),” and another document captioned “Motion for Follow Up on Submitted Petition and Filing Fees Paid for: Slupkowski v. Department of the United States Navy and Department of Defense for Proceedings in the District of Columbia District Court and United States Congress.” Neither document explains plaintiff’s failure to effect service of process.

“If a defendant is not served within 120 days after the complaint is filed, the court . . . after [providing] notice to the plaintiff [] must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Plaintiff

has been provided sufficient notice and ample time to serve the defendants with process. *See* Order of February 2, 2010. The case now will be dismissed. A separate Order accompanies this Memorandum Opinion.

DATE: July 21, 2010

_____/s/_____
RICHARD W. ROBERTS
United States District Judge