

<b>MARK KRIEGER,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CIVIL ACTION</b>
	)	
<b>v.</b>	)	<b>No. 06-2074-KHV</b>
	)	
<b>WARD FEED YARD, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

On March 2, 2006, plaintiff filed a civil complaint. As of July 19, 2006, the files and records of the Court did not disclose that service of the summons and complaint had been accomplished on defendants Berwick Black Cattle Co. and Mark Ray under Fed. R. Civ. P. 4(m).<sup>1</sup> The Court therefore ordered plaintiff to show good cause in writing on or before August 4, 2006, why service of the summons and complaint had not been made on those defendants within 120 days from the filing of the complaint, and further show good cause in writing why his claims as to those defendants should not be dismissed without prejudice. See Notice And Order To Show Cause (Doc. #14).

<sup>1</sup> That rule provides: “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.”

prejudice.

**IT IS SO ORDERED.**

Dated this 23rd day of August, 2006 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge