

DJW/lbl

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

JACQUELYN JACKSON,

Plaintiff,

v.

Case No. 07-2321-JWL-DJW

T-MOBILE
a/k/a T-MOBILE USA, INC.,

Defendant.

NOTICE AND ORDER TO SHOW CAUSE

TO THE PLAINTIFF BY AND THROUGH HER ATTORNEY:

The complaint in this case was filed on July 19, 2007, and an amended complaint was filed on November 14, 2007. The files and records of the court disclose that no service of the summons and the complaint and/or amended complaint has been accomplished on defendant T-Mobile a/k/a T-Mobile USA, Inc. Fed. R. Civ. P. 4(m) provides as follows: "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."

Plaintiff is hereby required to show good cause in writing to the Honorable John W. Lungstrum, Chief Judge, on or before **December 17, 2007**, why service of the summons and the complaint and/or amended complaint was not made in this case upon defendant T-Mobile a/k/a T-Mobile USA, Inc. within 120 days from the filing of the complaint, and shall further show good

cause in writing to said judge why this action should not be dismissed as to defendant T-Mobile a/k/a T-Mobile USA, Inc. in its entirety without prejudice.

The Clerk of this Court is directed to forward a copy of this order to counsel for the plaintiff.

IT IS SO ORDERED.

Dated in Kansas City, Kansas on this 30th day of November, 2007.

s/ David J. Waxse
DAVID J. WAXSE
UNITED STATES MAGISTRATE JUDGE

cc: All counsel and *pro se* parties