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

RODNEY C. NICKS,

Plaintiff,

No. 10-1220-JAR

v.

CARL BREWER, et al.,

Defendants.

ORDER

Plaintiff Rodney C. Nicks filed a Complaint in the above-captioned matter on July 7, 2010, alleging his civil rights were violated by various defendants when he was arrested on July 8, 2008 (Doc. 1). On November 24, 2010, plaintiff was ordered to show cause (Doc. 59) on or before December 10, 2010, why this case should not be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m), for failure to accomplish service of summons or the complaint upon defendant Anderson Higgins, Jr. Plaintiff has not responded to the Order to Show Cause. Accordingly,

IT IS THEREFORE ORDERED BY THE COURT that this action is dismissed, without prejudice, with respect to defendant Anderson Higgins, Jr.

IT IS SO ORDERED.

Dated: December 13, 2010

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE