

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

ROBERT E. FOX,

Plaintiff,

v.

Case No. 14-3107-JTM

KATHLEEN HOUP,

Defendant.

MEMORANDUM AND ORDER OF DISMISSAL

This matter comes before the court on plaintiff Robert Fox's response (Dkt. 37) to the order granting plaintiff until December 1, 2016, to complete service of process or show good cause for the failure (Dkt. 36). Fox asks this court for an extension based on his prisoner status. The court previously granted Fox additional time to complete service of process and warned him that his prisoner status will not constitute good cause. Because Fox has failed to provide good cause, the court dismisses the action without prejudice.

IT IS THEREFORE ORDERED this 5th day of December, 2016, that this action is dismissed without prejudice.

s/ J. Thomas Marten
Chief United States District Judge