

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

HALEIGH MCCRORY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:22-cv-02394-HLT-KGG
)	
)	
EQUIFAX INFORMATION)	
SERVICES, LLC,)	
)	
Defendant.)	
)	

NOTICE AND ORDER TO SHOW CAUSE

On September 30, 2022, Plaintiff, Haleigh McCrory, filed a Complaint naming as Defendant, Equifax Information Services, LLC. (Doc. 1). Plaintiff filed a civil cover sheet and received a notice of judge assignment on the same day. No summons has issued, and no action has otherwise been taken to prosecute the case.

Federal Rule of Civil Procedure 4(m) governs the time limit for service. Rule 4(m) provides that “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Additionally, Fed. R. Civ. P. 41(b) provides that the court may dismiss an action for failure to prosecute. Here, Plaintiff has not effectuated service of the summons on the Defendant and more than 90 days has passed since the complaint was filed.

Accordingly, the Court orders Plaintiff to show cause in writing by January 18, 2023, why the undersigned Magistrate Judge should not recommend that its claims be dismissed pursuant to Rule 4(m) and/or Rule 41(b).

IT IS SO ORDERED.

Dated January 4, 2023, at Wichita, Kansas.

/s KENNETH G. GALE
Kenneth G. Gale
U.S. Magistrate Judge