

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOES 1-6,

Defendant.

CASE NUMBER: 12-CV-12593

HONORABLE STEPHEN J. MURPHY, III

ORDER TO SHOW CAUSE

The Court directs Plaintiff's attention to Federal Rule of Civil Procedure 4(m) which provides as follows: "[i]f a defendant is not served within 120 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." Fed. R. Civ. P. 4(m). Rule 4 also provides that if the plaintiff shows good cause for its failure to serve a defendant within the allotted time, the court must extend the time for service for an appropriate period. *Id.*

More than 120 days have elapsed since Plaintiff filed its Complaint on June 14, 2012, and there is nothing in the record to suggest that the defendants have been served.

WHEREFORE it is hereby ORDERED that Plaintiff shall, within seven (7) days of this order, either file proof of service of process or otherwise show good cause for its failure to serve the Defendants within the time provided by the Federal Rules of Civil Procedure. Failure to comply with the terms of this Order will result in dismissal of the Complaint without prejudice and without further notice or hearing.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: January 16, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 16, 2013, by electronic and/or ordinary mail.

Carol Cohron
Case Manager