

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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|-------------------------------|---|-----------------------------|
| REV. XIU HUI "JOSEPH" JIANG, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 4:15-CV-1008 (CEJ) |
| |) | |
| TONYA LEVETTE PORTER, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

In response to the Court's show cause order regarding service of process on defendant A.M. [Doc. #55], plaintiff requests that the Court find good cause for an extension of time of six months in which to effect service of process on A.M. In the alternative, plaintiff requests a discretionary extension of time to serve A.M.

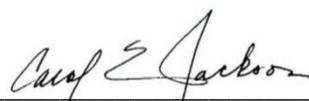
In his response, plaintiff details numerous, diligent attempts to effect service of process on A.M. since the filing of the complaint and issuance of summons. Plaintiff suggests that the circumstances of these attempts raise the reasonable inference that A.M. has actively sought to evade service of process. However, plaintiff has not provided sufficient explanation or assurance as to how he will be able to successfully serve A.M. in six months. Plaintiff is merely "hopeful" that additional information about A.M.'s whereabouts will be revealed in discovery.

Upon a showing of good cause for the failure to serve a defendant, Rule 4(m) of the Federal Rules of Civil Procedure requires the court to extend the time for service "for an appropriate period." The Court finds an extension of sixty days for plaintiff to effect service of process on A.M. to be appropriate based on the reasons provided in plaintiff's response.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall have until **January 11, 2016** to achieve service on defendant A.M.

IT IS FURTHER ORDERED that if proof of service on defendant A.M. is not filed by the above deadline, the Court will thereafter enter an order dismissing this action against defendant A.M. without prejudice for lack of timely service.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 20th day of November, 2015.