

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

CHERYL WILSON,

Plaintiff,

No. 3:14cv00989 (WIG)

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**RECOMMENDED RULING OF DISMISSAL**

The Federal Rules of Civil Procedure require that a plaintiff effect service of his or her complaint on a defendant within 120 days of the filing of the complaint. Rule 4(m), Fed. R. Civ. P., provides that “[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. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.”

Plaintiff filed a complaint against the Commissioner of the Social Security Administration on July 10, 2014. On July 15, 2014, USM 285 forms were sent to Plaintiff along with a Guide for Pro Se Litigants. On November 17, 2014, this Court issued an Order to Show Cause within 20 why this action should not be dismissed. (Dkt. No. 9). Plaintiff has not responded to Order to Show Cause, and, to date, the forms have not been returned to the Clerk’s Office and service has not been effected on Defendant. Accordingly, the Undersigned

recommends that Plaintiff's case be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m). This is a Recommended Ruling. Any party may file an objection within 14 days.

SO ORDERED, this 10<sup>th</sup> day of December, 2014, at Bridgeport, Connecticut.

/s/ William I. Garfinkel  
WILLIAM I. GARFINKEL  
United States Magistrate Judge