

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

LAURA BLACKLOCK,

Plaintiff,

v.

Case No: 6:18-cv-1949-Orl-28TBS

KOHL'S DEPARTMENT STORES, INC.,

Defendant.

ORDER

This case comes before the Court on Plaintiff's Amended Motion for Extension of Time to Serve Defendant and File Executed Summons (Doc. 9). Absent good cause, an action should be dismissed without prejudice if service is not made within 90 days after the complaint is filed. FED. R. CIV. P. 4(m). The rule also gives the Court the power to extend the time within to effect service of process. Plaintiff filed her complaint on November 13, 2018 and the summons was issued the next day (Id., at 1). Plaintiff's lawyer represents that due to a calendaring error, the summons did not go out for service until February 15, 2019 (Id.). Service was accomplished on February 18, 2019 (Id.). Although the Court is still not satisfied that it understands what happened, it appears that Defendant has now been served and this case can proceed. Accordingly, the motion is **GRANTED**. Plaintiff has through February 25, 2019 to file the return of service.

DONE and **ORDERED** in Orlando, Florida on February 21, 2019.


THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties