

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RONALD L. JONES,

Plaintiff,

v.

STEPHEN J. PUCKETT, BRIAN
CAGEL and DIANE FERGOT,

Defendants.

ORDER

00-C-204-C

In an order entered herein on November 7, 2000, I noted that the court had received an unexecuted service of process form from the United States Marshal indicating that the marshal had been unable to serve defendant Brian Cagel with plaintiff's complaint because Cagel is not at the address plaintiff provided. I gave plaintiff until November 28, 2000, in which to provide the court with Cagel's new address. I advised plaintiff that if he was unable to obtain Cagel's address, I would dismiss Cagel from the lawsuit for plaintiff's failure to prosecute.

Plaintiff has responded to the November 7 order with an affidavit in which he avers that he has exhausted all means of learning Cagel's new address and has been unsuccessful. Plaintiff

states that he believes he will not be able to locate Cagel and appears to concede that Cagel should be dismissed from this action.

Accordingly, IT IS ORDERED that defendant Brian Cagel is DISMISSED from this case on the ground that plaintiff has failed to serve him with his complaint.

Entered this 29th day of November, 2000.

BY THE COURT:

BARBARA B. CRABB
District Judge