

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

GARRY A. BORZYCH,

Plaintiff,

v.

MATTHEW J. FRANK, STEVEN B.
CASPERSON, RICK RAEMISCH, PHILLIP
KINGSTON, STEVEN SCHUELER, MIKE
THURMER, JAMYI WITCH and
SGT. McCARTHY,

Defendants.

ORDER

06-C-475-C

In an order dated January 22, 2007, I told plaintiff Garry Borzych that he had exceeded the 120-day limit provided in Fed. R. Civ. P. 4(m) for serving his complaint on defendants Jamyi Witch and Sgt. McCarthy. I told him that if, by January 31, 2007, he failed to submit proof of service of his original complaint on these defendants or show cause for his failure to do so, I would dismiss them from this case. Plaintiff has not responded to that order.

Accordingly, IT IS ORDERED that defendants Jamyi Witch and Sgt. McCarthy are

DISMISSED from this action for plaintiff's failure to serve them with his complaint.

Entered this 14th day of February, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge