

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

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GARY R. KUPKA,

Plaintiff,

ORDER

v.

03-C-617-C

TERRY L. MILLER, PETER C. ERICKSON,  
and JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendants.

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On October 31, 2003, Plaintiff Gary R. Kupka filed this complaint for judicial review of an adverse decision of the Commissioner of Social Security. On April 21, 2004, the magistrate judge entered an order explaining to plaintiff that the case would be dismissed unless plaintiff filed proof of service of the summons and complaint upon defendant Jo Anne B. Barnhart or showed good cause for his failure to do so. The magistrate judge allowed plaintiff until May 6, 2004, within which to submit something to the court. It is now May 14, 2004, and plaintiff has not filed proof that he has served the defendant or attempted to

show good cause for his failure to do so. Accordingly, the clerk of court is directed to dismiss this case, without prejudice, for plaintiff's failure to prosecute it.

Dated this 14th day of May, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge