

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:17-cv-24076-UU

K&L EXPORT, INC.,

Plaintiff,

v.

CORPOVEX,

Defendant.

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**ORDER**

THIS CAUSE comes before the Court upon a Plaintiff's Request for Extension of Time to Serve Defendant (D.E. 32).

THE COURT has considered the pertinent portions of the record and is otherwise fully advised in the premises.

Plaintiff filed the Complaint against Defendant on November 6, 2017. D.E. 1. Defendant is apparently a Bolivian corporation doing business in Venezuela and Plaintiff has been unable to effect service. The Court has extended the time for Plaintiff's to serve Defendant and has granted Plaintiff's request for alternative service. D.E. 28. Still, Plaintiff has not served Defendant.

When the Court last granted Plaintiff an extension to effect service reminded Plaintiff that "[a]lthough there is no specified time period for service under the Hague Convention, it is not unlimited, and the Court will not permit a case to languish on its docket." *See, e.g., Castleberry v. Winn-Dixie Stores, Inc.*, No. 7:16-CV-202, 2017 WL 4052159, at \*2 (M.D. Ga.

Sept. 13, 2017). The Court stated that it would extend the service deadline until March 23, 2018, but would grant no further extensions. *Id.*

Plaintiff now asks the Court for an extension of “at least six month[s], although a year, would be optimum” without offering any assurance that service can be obtained and without offering any persuasive explanation for its failure to initiate service sooner pursuant to the Hague Convention D.E. 32. The Court will not grant the request. The case has been languishing on the Court’s docket for five months without service and without any progress toward service. Accordingly, it is hereby

ORDERED AND ADJUDGED that Plaintiff’s Request for Extension of Time to Serve Defendant (D.E. 32) is DENIED. It is further

ORDERED AND ADJUDGED that because Plaintiff has not filed a proof of service as ordered (D.E. 28) the case is DISMISSED WITHOUT PREJUDICE. It is further

ORDERED AND ADJUDGED that the Clerk SHALL administratively CLOSE the case.

DONE AND ORDERED in Chambers at Miami, Florida, this 26th day of March, 2018.



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UNITED STATES DISTRICT JUDGE

cc:  
counsel of record via cm/ecf