

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-4010

Maurice L. Coleman, Sr.,
Representatives for D-Unit,

Appellant,

Robert F. Baker,
Representatives for D-Unit,

Plaintiff,

v.

Jeffery Newton, Director of Douglas
County Corrections & Staff Leaders;
Rocca Forte, Lt.; Unknown Captain;
Unknown Lt.'s; Unknown Sargeants,

Appellees.

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Appeal from the United States
District Court for the
District of Nebraska.

[UNPUBLISHED]

Submitted: October 19, 2009
Filed: October 22, 2009

Before BYE, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Maurice Coleman appeals the district court's¹ order dismissing his 42 U.S.C. § 1983 complaint. We affirm.

After Coleman filed his complaint, the district court issued an order explaining that summons forms would be sent to Coleman for completion, that he needed to return the completed forms so that the United States Marshal's Office could serve defendants, and that Coleman had 120 days to effectuate service. The court dismissed the complaint only after Coleman failed to provide the required forms as directed. Further, the dismissal was without prejudice. In these circumstances, we find no abuse of discretion. *See Fed. R. Civ. P. 41(b), 4(m); Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993) (per curiam) (inmate proceeding IFP is still responsible for providing address for service on defendants); *Smith v. Gold Dust Casino*, 526 F.3d 402, 404-05 (8th Cir. 2008) (standard of review for Rule 41(b) dismissals); *Bullock v. United States*, 160 F.3d 441, 442 (8th Cir. 1998) (per curiam) (standard of review for Rule 4(m) dismissals).

Accordingly, we affirm.

¹The Honorable Laurie Smith Camp, United States District Judge for the District of Nebraska.