

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 26 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

BRADFORD PAUL GOODMAN; PETER  
WESLEY GOODMAN,

Plaintiffs-Appellants,

v.

HEAT AND FROST INSULATORS AND  
ALLIED WORKERS LOCAL 82; et al.,

Defendants-Appellees.

No. 18-35145

D.C. No. 2:17-cv-00010-TOR

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of Washington  
Thomas O. Rice, District Judge, Presiding

Submitted November 18, 2019\*\*

Before: CANBY, TASHIMA, and CHRISTEN, Circuit Judges.

Bradford Paul Goodman and Peter Wesley Goodman appeal pro se from the district court's judgment dismissing their labor and employment action for failure to serve the summons and complaint under Federal Rule of Civil Procedure 4(m).

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Oyama v. Sheehan (In re Sheehan)*, 253 F.3d 507, 511 (9th Cir. 2001).

We affirm.

The district court did not abuse its discretion by dismissing plaintiffs' action without prejudice because plaintiffs failed to effect timely and proper service of the summons and complaint and did not show good cause for their failure, after being given notice and an opportunity to do so. *See* Fed. R. Civ. P. 4(h) (setting forth how to serve a corporation or association); Fed. R. Civ. P. 4(m) (district court may dismiss an action without prejudice for failure to serve, after providing notice to the plaintiff and absent a showing of good cause); *In re Sheehan*, 253 F.3d at 512 (discussing Rule 4(m)'s "good cause" standard).

The district court did not abuse its discretion by denying plaintiffs' motion for reconsideration because plaintiffs failed to demonstrate any grounds for relief. *See Sch. Dist. No. 1J, Multnomah Cty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993) (setting forth standard of review and grounds for relief from judgment under Fed. R. Civ. P. 60(b)).

**AFFIRMED.**