

LINK:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-3936 GAF (JEMx)	Date	February 8, 2011
Title	Teodor Marian v. Social Security Administration et al		

Present: The Honorable	GARY ALLEN FEESS		
Renee Fisher	None	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None	None		

Proceedings: (In Chambers)

FURTHER ORDER TO SHOW CAUSE RE: DISMISSAL FOR LACK OF PROSECUTION

Plaintiff filed this suit against Defendants the Social Security Administration, Sheryll Ziporkin, Michael O. Levitt, Mark McClellan, Kerry N. Weems, Commissioner of Health Net Medicare Programs, Sejoya, and James Woys on June 1, 2010. (Docket No. 3, Compl.) On August 13, 2010, this Court granted Plaintiff's request for service by United States Marshal. (Docket No. 9, 8/13/11 Order.) Plaintiff still has not filed proofs of service with the Court. On January 11, 2011, the Court accordingly issued an Order to Show Cause why the case should not be dismissed for lack of prosecution. (Docket No. 13, 1/11/11 Order.)

Plaintiff filed a response to the Court's Order to Show Cause on February 1, 2011. (Docket No. 14.) Plaintiff's response indicates that he gave all necessary information to the Marshals on September 7, 2010, but that the Marshals declined service on September 21, 2011, for failure to provide proper documentation. (*Id.* at 2–3.) Apparently, Plaintiff attempted to resubmit papers to the Marshals, but the Marshals declined service again on November 10, 2010. (*Id.* at 3.) Plaintiff represents that he tried to get help from the federal pro se clinic, but they said they had “no idea what it is or how to do it, and provided no forms for service by Marshal.” (*Id.* at 2.)

The Court will give Plaintiff one more opportunity to serve Defendants in this case. Plaintiff is hereby **ORDERED** to submit all required forms, and the name and address of each defendant, to the U.S. Marshals Service **by no later than February 22, 2011**. The required documents are listed on the letters rejecting service that Plaintiff has received from the Marshals

LINK:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-3936 GAF (JEMx)	Date	February 8, 2011
Title	Teodor Marian v. Social Security Administration et al		

Service. The Court is providing Plaintiff a District Court Form CV-35 along with this order. The Court recommends that Plaintiff show this order and the letters from the U.S. Marshals Service to the Court's Pro Se Clinic to get assistance in compiling the necessary documents. The Clinic operates Mondays, Wednesdays, and Fridays between 10 a.m. and noon and between 2 p.m. and 4 p.m., at the U.S. Courthouse, 312 North Spring Street, Room 525, Los Angeles, CA 90012. For more information on the Clinic, Plaintiff can call 213-385-2977, Ext. 270.

Plaintiff is also **ORDERED** to submit to this Court, **by no later than February 24, 2011**, a copy of all materials he has provided the U.S. Marshals Service. Failure to submit this documentation shall be deemed consent to dismissal of this action for failure to prosecute.

IT IS SO ORDERED.