## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL

Case No. CV13-4008 GW (AJW)

Date: December 3, 2013

Title: <u>Wesley K</u>	Kane Campb	ell v. Lee Baca, et al.	
PRESENT:	======== HON.	ANDREW J. WISTRICH	=========== I, MAGISTRATE JUDGE
	<u> </u>	Zsela Benavides Deputy Clerk	Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: None Present ATTORNEYS PRESENT FOR DEFENDANTS: None Present

## Order to Show Cause Regarding Dismissal

Plaintiff paid the filing fee and filed a civil rights complaint pro se on July 22, 2013. Plaintiff was not imprisoned when he filed the complaint.

"The plaintiff is responsible for having the summons and complaint served within the time allowed by Rule 4(m) and must furnish the necessary copies to the person who makes service." Fed. R. Civ. P. 4(c)(1). If a defendant is not served within 120 days after the complaint is filed, the court "must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." Fed. R. Civ. P. 4(m).

More than 120 days have elapsed since the complaint was filed. Plaintiff has not filed a proof of service of the summons and complaint as to any defendant. Accordingly, plaintiff shall have to and including **December 20, 2013** in which to file a declaration under penalty of perjury, with supporting exhibits if needed, establishing good cause for his failure to effect timely service of process in accordance with Rule 4.

Plaintiff is cautioned that failure to respond to this order within the time allowed, or failure to show good cause as described in this order, may lead to the dismissal of this action.

## IT IS SO ORDERED.

cc: Parties