UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	**CV 13-9016 FMO (RZx)**	**Date**	**March 7, 2014**
Title	**JOSEPH M. HICKS v. CITY OF SANTA BARBARA, et al.**		

Present: The Honorable **Fernando M. Olguin, United States District Judge**

Vanessa Figueroa	None Present
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None Present	None Present

Proceedings: **(In Chambers) Order to Show Cause Re: Dismissal Re: Lack of Prosecution**

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 120 days after the complaint is filed. Fed. R. Civ. P. 4(m). Generally, a defendant must answer the complaint within 21 days after service (60 days if the defendant is the United States). Fed. R. Civ. P. 12(a). The court may dismiss the action prior to the 120 days, however, if plaintiff(s) has/have not diligently prosecuted the action.

In the present case, it appears that one or more of these time periods has not been met. Accordingly, the court, on its own motion, orders plaintiff(s) to show cause in writing on or before **March 14, 2014**, why this action should not be dismissed for lack of prosecution. Pursuant to Fed. R. Civ. P. 78(b), the court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of plaintiff's response, if plaintiff/defendant files

X Proof(s) of service of summons and complaint on the following defendant(s): **ALL DEFENDANTS**

X An answer by the following defendant(s): **ALL DEFENDANTS**

☐ Plaintiff's application for entry of default pursuant to Fed. R. Civ. P. 55(a):

☐ Plaintiff's motion for default judgment pursuant to Fed. R. Civ. P. 55(b):

on or before the date indicated above, the court will consider this a satisfactory response to the Order to Show Cause.

00 : 00

Initials of Preparer vdr

Dockets.Justia.com