

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 16-8516 DSF (AJWx) Date 6/14/17

Title Benny Vaden v. Megan J. Brennan

Present: The Honorable DALE S. FISCHER, United States District Judge

Debra Plato Not Present

Deputy Clerk Court Reporter

Attorneys Present for Plaintiffs: Attorneys Present for Defendants:

Not Present Not Present

Proceedings: (In Chambers) Second Order to Show Cause re Dismissal for Lack of Prosecution

On April 27, 2016, this Court issued an Order to Show Cause re Dismissal for Lack of Prosecution because the proofs of service on file did not indicate that the government official defendant being sued in her official capacity had been properly served. See Fed. R. Civ. P. 4(i)(2). Plaintiff was ordered to show cause, in writing, no later than May 8, 2017, why the case should not be dismissed for lack of prosecution.

On May 9, Plaintiff filed a response seeking an additional 30 days to serve the complaint. Plaintiff violated the Court’s Local Rules by failing to submit chambers copies of the response. Plaintiff requested an additional 30 days within which to serve the defendant. Service on a government official is not difficult, yet Plaintiff has apparently still not served the defendant, though more than 30 days has passed. If Plaintiff fails to provide a proper proof of service by July 14, 2017, his action will be dismissed. The Court notes that Plaintiff’s previous complaint against this defendant was dismissed for failure to prosecute.

IT IS SO ORDERED.