

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**JS-6**

**CIVIL MINUTES -- GENERAL**

Case No. **CV 16-9142-JFW (SSx)**

Date: June 16, 2017

Title: Willie Mayora -v- Fieldstone Mortgage Company, et al.

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**PRESENT:**

**HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE**

**Shannon Reilly  
Courtroom Deputy**

**None Present  
Court Reporter**

**ATTORNEYS PRESENT FOR PLAINTIFFS:**

None

**ATTORNEYS PRESENT FOR DEFENDANTS:**

None

**PROCEEDINGS (IN CHAMBERS):**

**ORDER DISMISSING REMAINING DEFENDANTS  
WITHOUT PREJUDICE**

On May 4, 2017, the Court ordered Plaintiffs to show cause, in writing, no later than May 12, 2017 why the remaining defendants in this action should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m). Federal Rule of Civil Procedure 4(m) provides in relevant part: "If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- *must* dismiss the action without prejudice against that defendant or order 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) (emphasis added).

On May 12, 2017, Plaintiffs filed a Response, requesting that the Court give Plaintiffs an additional seven days to file the relevant proofs of service with the Court. As of June 16, 2017, Plaintiffs have failed to file proofs of service with the Court. Accordingly, the remaining defendants are **DISMISSED without prejudice** for failure to comply with Federal Rules of Civil Procedure 4(l)<sup>1</sup> and 4(m).

IT IS SO ORDERED.

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<sup>1</sup>Federal Rule of Civil Procedure 4(l) provides that "proof of service must be made to the court."