

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

Case No. EDCV 14-00711-JGB (SPx) Date October 10, 2014

Title Tameca Shelton, et al. -v- John McMahon, et al.

Present: The Honorable JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE

MAYNOR GALVEZ

Not Reported

Deputy Clerk

Court Reporter

**Proceedings: (IN CHAMBERS) Order to Show Cause re Dismissal for 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. Proc. 4(m). Generally, defendants must answer the complaint within 21 days after service (60 days if the defendant is the United States). Fed R. Civ. Proc. 12(a)(1).

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 October 24, 2014, why this action should not be dismissed as to the applicable defendant(s) for lack of prosecution. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, 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 a responsive pleading or motion on or before the date upon which a response by the Plaintiff(s) is due.

Filing of the following on or before the date indicated above will constitute a satisfactory response to the Order to Show Cause:.

- Proof of service of summons and complaint(applicable for defendant(s) who have not been served).
- In cases removed from State Court, responsive pleadings filed by all defendants.
- Request for entry of default by plaintiff(s)(applicable where defendants have been served but not answered).
- Motion for default judgment or request for clerk to enter default judgment Pursuant to Rule 55 (b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.