

PRIORITY SEND

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. EDCV 14-01974-VAP (SPx)

Date: January 23, 2015

Title: NATHAN J. COLODNEY -v- COUNTY OF RIVERSIDE

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFFS:

ATTORNEYS PRESENT FOR
DEFENDANTS:

None

None

PROCEEDINGS: ORDER TO SHOW CAUSE RE: FAILURE TO PROSECUTE
(IN CHAMBERS)

On September 23, 2014, Plaintiff Nathan J. Colodney ("Colodney") filed this
action against Defendant County of Riverside ("Riverside County"). To date,
however, Colodney has not filed a proof of service indicating that Riverside County
was served with the complaint, nor has he submitted evidence to show efforts made
to give notice or given a reason notice should not be required. Pursuant to Federal
Rule of Civil Procedure ("FRCP") 4(m), a plaintiff must serve summons and
complaint on all named defendants within 120 days of filing. When a plaintiff fails to
prosecute the case, the court on its own motion may dismiss the case under FRCP
41(b). See Tolbert v. Leighton, 623 F.2d 585, 586-87 (9th Cir. 1980). Colodney has
failed to prosecute this action, and thus it is subject to dismissal.

Accordingly, the Court ORDERS Colodney to show cause, in writing, not later than February 7, 2015, why this action should not be dismissed without prejudice for failure to prosecute. Failure to file a response will result in dismissal of this action.

IT IS SO ORDERED.