

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: EDCV 14-02314 JVS (RAO) Date: January 19, 2016
Title: Shelley Graham Towns, Sr. v. B.M. Cash, et al.

Present: The Honorable **ROZELLA A. OLIVER, U.S. MAGISTRATE JUDGE**

N/A

Deputy Clerk

N/A

Court Reporter / Recorder

Attorneys Present for Plaintiff(s):

N/A

Attorneys Present for Defendant(s):

N/A

Proceedings: (In Chambers) **ORDER TO SHOW CAUSE RE DISMISSAL OF DEFENDANT B.M. CASH**

On January 15, 2015, Shelley Graham Towns, Sr. (“Plaintiff”), a California prisoner proceeding *pro se*, filed a first amended complaint alleging violations of 42 U.S.C. § 1983 by eight named defendants in both their individual and official capacities. (ECF No. 9.)

On January 16, 2015, the Court ordered service of process by the United States Marshal on the defendants. (ECF No. 13.) Pursuant to the Court’s January 16, 2015, Order Re Further Proceedings, Plaintiff had until on or before May 15, 2015, to serve the defendants. (ECF No. 11.) Plaintiff was expressly warned that **“his failure to effect service by that date may result in the dismissal of the action by reason of [his] failure to prosecute.”** (*Id.*) Seven of the eight named defendants have been served. On July 13, 2015, however, the summonses for B.M. Cash, in his individual and official capacities, were returned unexecuted. (ECF Nos. 56-57.)

Given that the service deadline has passed, **IT IS ORDERED** that Plaintiff must show cause in writing, on or before **February 9, 2016**, why his claims against B.M. Cash should not be dismissed due to his failure to effect service upon B.M. Cash. **Failure to comply with this Order and/or to show cause will result in the dismissal of Plaintiff’s claims against B.M. Cash without prejudice.**

IT IS SO ORDERED.

Initials of Preparer _____ : _____
