

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

CIVIL MINUTES – GENERAL

Case No. 5:16-edcv-02419-DMG-KES

Date: May 23, 2017

Title: JOSEPH GUY VACHON v. REVERSE MORTGAGE SOLUTIONS INC., et al.

PRESENT:

THE HONORABLE KAREN E. SCOTT, U.S. MAGISTRATE JUDGE

Jazmin Dorado
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR DEFENDANT:
None Present

PROCEEDINGS (IN CHAMBERS):

**ORDER TO SHOW CAUSE why
Defendants Superior Court of California
County of Riverside and Judge Wojcik
should not be dismissed for failure to
prosecute**

On February 21, 2017, Plaintiff filed a First Amended Complaint (“FAC”) naming multiple defendants, including Judge Albert J. Wojcik and the Superior Court of California Country of Riverside. As of the date of this Order, those Defendants have not appeared.¹

The Court’s review of Plaintiff’s filed proofs of service indicates that Plaintiff’s initial service attempts may have been defective. With regard to these Defendants, Plaintiff filed one proof of service naming “Superior Court of the State of California County of Riverside, Murrieta Courthouse Case No. SWC1601129” as the Defendant served. Plaintiff has not filed a proof of service for Judge Wojcik.

Plaintiff shall either (1) file proofs of service demonstrating that he has effectuated proper service of his FAC and related documents on the Superior Court and Judge Wojcik, or (2) show cause why Plaintiff has been unable to serve these Defendants, **on or before June 20, 2017**. Failure to properly serve these defendants may result in the Court dismissing the claims against them without prejudice for failure to prosecute.

Plaintiff is advised that state court judges are immune from Section 1983 liability for acts

¹ Five Defendants have appeared and filed Motions to Dismiss the FAC. (See Dkts. 24, 28, 30, 35.)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:16-edcv-02419-DMG-KES

Date: May 23, 2017

Page 2

committed within their judicial role. See Pierson v. Ray, 386 U.S. 547, 553-55 (1967). If Plaintiff wishes to proceed only with his claims against the Defendants who have already appeared in this action, Plaintiff may request a voluntarily dismissal of his claims against Judge Wojcik and the Superior Court of California **on or before June 20, 2017**. The Clerk of Court shall please attach to this Order a Notice of Dismissal form. Voluntarily dismissing Judge Wojcik and the Superior Court of California will not affect Plaintiff's claims against the remaining Defendants.

Initials of Deputy Clerk JD