

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

Case No. **ED CV 17-1604-DMG (KKx)** Date November 7, 2017

Title ***James Lindsay v. Roman Gardea, et al.***

Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

Kane Tien  
Deputy Clerk

Not Reported  
Court Reporter

Attorneys Present for Plaintiff(s)  
Not Present

Attorneys Present for Defendant(s)  
Not Present

**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 90 days after the complaint is filed. See Fed. R. Civ. P. 4(m). Generally, defendant must answer the complaint within 21 days after service (60 days if the defendant is the United States).

In the present case, it appears that these time periods have not been met. Accordingly, the Court, on its own motion, orders plaintiff(s) to show cause in writing on or before **November 21, 2017** why this action should not be dismissed as to defendant William Fountain for lack of prosecution.

No oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a written response on or before the date upon which a response by plaintiff(s) is due. This action will be **dismissed as to defendant William Fountain** if a written response demonstrating good cause is not filed by the date indicated above.