

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

Case No. 5:22-cv-02165-SHK

Date January 19, 2023

Title ***Randy Newland v. Resurgent Capital Services L.P.***

Present: The Honorable Shashi H. Kewalramani, United States Magistrate Judge

D. Castellanos  
Deputy Clerk

Not Reported  
Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE**

On December 5, 2022, Plaintiff Randy Newland (“Plaintiff”) filed a Complaint (“Complaint” or “Compl.”) against Defendant Resurgent Capital Services L.P. (“Defendant”). Electronic Case Filing Number (“ECF No.”) 1, Compl. On December 28, 2022, Plaintiff filed a Proof of Service of Summons of Complaint (“Proof of Service” or “POS”), indicating that Plaintiff served the summons and Complaint on Defendant on December 14, 2022. ECF No. 7.

Generally, defendants must answer or otherwise respond to a complaint within twenty-one days after being served with the summons and Complaint. Fed. R. Civ. P. 12(a)(1)(A)(i). Here, because service was effectuated on December 14, 2022, Defendant’s answer was due twenty-one days later, on January 4, 2023. As of the date of this Order, Defendant has not filed an answer or otherwise responded to the Complaint and Plaintiff has not requested that default be entered against Defendant as authorized under Federal Rule of Civil Procedure (“Rule”) 55. As such, this litigation is stalled.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE in writing by **January 25, 2023**, why this action should not be dismissed for failure to prosecute. Plaintiff can satisfy this order by requesting that default be entered against Defendant pursuant to Rule 55 by the date stated above. Plaintiff is warned that failure to timely respond to this OSC in the manner stated above **may result in the dismissal of this action** for failure to prosecute and follow Court orders.

**IT IS SO ORDERED.**