

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SA CV 13-1800 VBF (MRW) Date April 9, 2014

Title Lopez v. Newport Elementary School, et al.

Present: The Honorable Michael R. Wilner

Veronica McKamie

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None present

None present

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL OF CIVIL ACTION

Plaintiff filed this pro se civil rights action in November 2013. Shortly after filing the action, the Court issued an order setting forth the procedures to be followed in the case. Pursuant to Federal Rule of Civil Procedure 4(m), the order expressly required Plaintiff to serve the named defendants with the summons and complaint within 120 days of commencement of the action, or by March 17, 2014. (Docket # 4.) According to the Court's review of the docket, no documents have been filed in the action since then. Specifically, Plaintiff did not file a proof of service of process, and no defendant has appeared in the action to date. He also did not request an extension of the statutory time period.

The action is subject to dismissal for failure to prosecute. However, in the interest of justice, the Court will give Plaintiff one opportunity to explain why the statutory service period should be extended and the matter not dismissed.

Therefore, it is ordered that Plaintiff must show cause why this action should not be dismissed. Plaintiff may discharge this order by filing a statement (not to exceed 5 pages excluding exhibits) by or before April 28, 2014, addressing the issues set forth above. If no timely response is filed, the Court will recommend dismissal of the action pursuant to Rule 41.