



1 (Doc. 3 at 1-2, emphasis added) There has not been an appearance by any defendant.

2 Plainly, the Court cannot proceed with the scheduling conference given the lack of appearance  
3 by the defendant. However, in continuing the scheduling conference, Plaintiff is reminded of its  
4 obligation of *timely* service under Rule 4 and that the Court may order the dismissal of this matter sua  
5 sponte for failure to comply with Fed. R. Civ. P. 4.

6 **ORDER**

7 Based upon the foregoing, the Court **ORDERS:**

8 1. The status conference re: consent/scheduling conference, currently set on March 11, 2015  
9 is **CONTINUED** to **May 28, 2015** at 8:30 a.m.

10 **Plaintiff is advised that his failure to comply with this order and with Fed. R. Civ. P. 4, will**  
11 **result in a recommendation that the matter be dismissed.**

12 IT IS SO ORDERED.

13 Dated: **February 26, 2015**

14 **/s/ Jennifer L. Thurston**  
15 UNITED STATES MAGISTRATE JUDGE  
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