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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATTIE A. COXEY,

Plaintiff,

No. CIV S-09-2530 GEB EFB

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

ORDER

Defendant.

_____ /
This action is before the undersigned pursuant to Local Rule 302(c)(15) and 28 U.S.C. § 636. On December 15, 2009, the undersigned issued a scheduling order herein. Dckt. No. 7. That order directed plaintiff to complete service of process within twenty days from filing the complaint and to file with the Clerk a certificate reflecting such service within ten days thereafter. *Id.* The order further cautioned the parties that failure to comply with any portion of the order may result in sanctions, including striking the complaint. *Id.*

The court file reveals that plaintiff has not filed a certificate of service on defendant, as required by the December 15, 2009 order. Accordingly, plaintiff will be ordered to show cause why this case should not be dismissed for failure to follow court orders and/or for failure to effect service of process within the time prescribed by Federal Rule of Civil Procedure 4(m). Fed. R. Civ. P. 4(m); E.D. Cal. L.R. 110 (“Failure of counsel or of a party to comply with these

1 Rules or with any order of the Court may be grounds for imposition by the Court of any and all
2 sanctions authorized by statute or Rule or within the inherent power of the Court.”).


3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff shall show cause, in writing, on or before May 12, 2010, why sanctions
5 should not be imposed for failure to follow court orders and/or for failure to effect service of
6 process within the time prescribed by Federal Rule of Civil Procedure 4(m).

7 2. Failure of plaintiff to timely comply with this order may result in sanctions, including
8 a recommendation that this action be dismissed for failure to follow court orders, for failure to
9 effect service of process within the time prescribed by Federal Rule of Civil Procedure 4(m),
10 and/or for lack of prosecution. *See* Fed. R. Civ. P. 4(m), 41(b); E.D. Cal. L.R. 110.

11 SO ORDERED.

12 DATED: April 29, 2010.

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14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
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