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

LEYNE FERNANDEZ and JOSE J.
FERNANDEZ,

Plaintiff,

No. CIV S-10-0173 MCE GGH PS

vs.

DEUTSCHE BANK NATIONAL, et al.,

Defendants.

ORDER TO SHOW CAUSE

_____ /

This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21). Pursuant to Federal Rule of Civil Procedure 4(m), the court may dismiss an action where service of summons is not made within 120 days after the filing of the complaint. In the order requiring timely service filed January 22, 2010, plaintiff was cautioned that this action may be dismissed if service was not timely completed. This action was filed January 22, 2010 and plaintiffs have not yet served defendants with summons.

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Accordingly, IT IS HEREBY ORDERED that:

Plaintiff shall show cause, in writing, within fourteen days from the date of this order, why this action should not be dismissed for failure to comply with Federal Rule of Civil Procedure 4(m). Failure to timely file the required writing will result in a recommendation that the case be dismissed.

DATED: May 27, 2010

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

GGH:035
fernandez173.osc