

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

ABINADAB ISRAEL,

Plaintiff,

No. CIV S-10-3194 LKK GGH PS

vs.

JUDGE STEVE W. WHITE,
et al.,

Defendants.

ORDER

_____ /

This action was referred to the undersigned pursuant to Local Rule 302(c)(21). Despite initiating this case on November 29, 2010, plaintiff has not served defendants with any of the three complaints on file. After an order to show cause issued on June 2, 2011, requiring plaintiff to show cause for failure to serve the complaint within 120 days pursuant to Federal Rule of Civil Procedure 4(m), plaintiff responded only by filing a second amended complaint.

In the order to show cause, issued June 2, 2011, plaintiff was informed that 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 November 29, 2010, plaintiff was cautioned that this action may be dismissed if service was not timely completed. Plaintiff has now filed a satisfactory response to the order to show cause.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Accordingly, IT IS ORDERED that:

1. The order to show cause, filed June 2, 2011, is discharged.
2. Plaintiff shall serve summons and the second amended complaint within thirty (30) days of this order. Failure to comply with this order will result in a recommendation that this case be dismissed.

DATED: June 22, 2011

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

GGH:076/Israel3194.svc.wpd