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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JULIA M. CARLON, CHRISTINE M. CARLON,)	Case No. 2:11-CV-00499-JAM-GGH
)	
Plaintiffs,)	ORDER TO SHOW CAUSE REGARDING
)	DISMISSAL OF CLAIMS AGAINST
v.)	TAYLOR, BEAN & WHITAKER
)	MORTGAGE COMPANY
)	
TAYLOR, BEAN & WHITAKER MORTGAGE COMPANY, CENTRAL LOAN ADMINISTRATION AND REPORTING, OCWEN LOAN SERVICE, LLC, and DOES 1 through 100,)	
)	
Defendants.)	

On January 18, 2011, Plaintiffs Julia Carlon and Christine Carlon ("Plaintiffs") filed a complaint against Defendant Taylor, Bean & Whitaker Mortgage Company, which was subsequently removed to this Court by another named defendant. On April 18, 2011, a summons as to Defendant Taylor, Bean & Whitaker Mortgage Company was returned unexecuted, indicating that CT Corp. did not have a listing for Defendant, nor was CT Corp. the proper agent for service. To date, Defendant Taylor, Bean & Whitaker Mortgage Company has not been served.

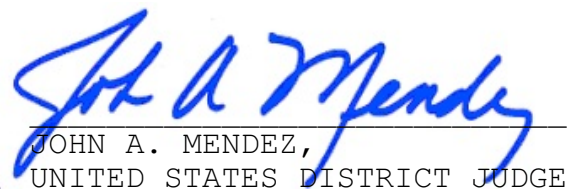
Pursuant to Federal Rule of Civil Procedure 4(m), the Court

1 must dismiss an action if a defendant has not been served within
2 120 days of a plaintiff's filing of his or her complaint, unless a
3 plaintiff can demonstrate good cause for his or her failure to
4 serve the defendant. FED. R. CIV. P. 4(m). Good cause "applies only
5 in limited circumstances, and inadvertent error or ignorance of the
6 governing rules alone will not excuse a litigant's failure to
7 effect timely service." Hamilton v. Endell, 981 F.2d 1062, 1065
8 (9th Cir. 1992) (discussing former subdivision 4(j)) (overruled on
9 other grounds); see also Glaser v. Bell Gardens, 28 F.3d 105 (9th
10 Cir. 1994).

11 It has been well beyond 120 days since Plaintiffs' complaint
12 was filed and Defendant Taylor, Bean & Whitaker Mortgage Company
13 has yet to be served. Accordingly, Plaintiffs are hereby ordered
14 to show cause in writing, not to exceed five (5) pages, why this
15 action should not be dismissed as to Defendant Taylor, Bean &
16 Whitaker Mortgage Company for Plaintiffs' failure to timely serve
17 Defendant. Plaintiffs' response to this Court's order should be
18 filed no later than 5:00 pm on July 22, 2011.

19
20 IT IS SO ORDERED.

21 Dated: July 11, 2011

22 
JOHN A. MENDEZ,
UNITED STATES DISTRICT JUDGE