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

JOSHUA DANIEL MILLS,

Plaintiff,

No. 2:12-cv-0166 KJM GGH P

vs.

TIM VIRGA, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding with retained counsel. He seeks relief pursuant to 42 U.S.C. § 1983 and has paid the filing fee. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

On June 14, 2012, plaintiff was provided two summonses and ordered to complete service of process within 60 days. That time period has now expired and service has not been effectuated nor has plaintiff otherwise communicated with the court.

Within 14 days, plaintiff shall show cause why this case should not be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).¹

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¹ The 120 day time limit to serve defendant pursuant to Fed. R. Civ. P. 4(m) is also quickly approaching.

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In accordance with the above, IT IS HEREBY ORDERED that within 14 days,
plaintiff shall show cause why this case should not be dismissed for failure to prosecute pursuant
to Fed. R. Civ. P. 41(b).

DATED: October 3, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
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