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

CAMILLE WHEAT,

No. 2:14-cv-0688-CMK PS

Plaintiff,

vs.

ORDER

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____/

Plaintiff, who is proceeding *in propria persona*, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). On August 22, 2014, the court issued plaintiff an order to show cause why this action should not be dismissed for her failure to submit service documents to the United States Marshal. Plaintiff has filed a response, but fails to address the issue of service.

The court acknowledges that plaintiff is proceeding without an attorney. She is still required, however, to follow court orders, the Federal Rules of Civil Procedure, and the Eastern District of California Local Rules. In the court’s prior order, plaintiff was informed that she had been required to submit the service documents to the United State Marshal in order to have the defendant properly served. She was then required to file a statement with the court that

1 said documents had been submitted. Plaintiff has not informed the court whether she has
2 submitted the necessary service documents to the United States Marshal. It appears she has not
3 done so as required.

4 Plaintiff will be provided one more opportunity to comply with this court's orders.
5 If she fails to do so, this action may be dismissed for her failure to prosecute and follow court
6 orders. Specifically, plaintiff is required to submit to the United States Marshal a completed
7 summons and copies of the complaint, then file a statement with the court that said documents
8 have been submitted. Plaintiff may comply with this order to show cause by either informing the
9 court that she has complied with the court's prior order, or she if she has not already done so, she
10 may now comply by submitting the necessary service documents to the United States Marshal,
11 and informing the court that she has now done so.

12 Accordingly, plaintiff shall show cause, in writing, within 30 days of the date of
13 this order, why this action should not be dismissed for failure to submit service documents to the
14 United States Marshall. Plaintiff is again warned that failure to respond to this order may result
15 in dismissal of the action for the reasons outlined above, as well as for failure to prosecute and
16 comply with court rules and orders. See Local Rule 110.

17 In addition, the Clerk of the Court is directed to reissue the summons in this
18 action and reserve plaintiff with the new case documents.

19 IT IS SO ORDERED.

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21 DATED: November 5, 2014

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23 **CRAIG M. KELLISON**
24 UNITED STATES MAGISTRATE JUDGE
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