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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PARIS A. EVANS,
Plaintiff,
v.
CAROLYN W. COLVIN, Commissioner
of Social Security,
Defendant.

No. 2:14-cv-1695 DAD

ORDER

On October 17, 2014, the undersigned granted plaintiff's motion to proceed in forma pauperis and ordered plaintiff to submit to the United States Marshal the documents necessary for service of process. (Dkt. No. 4.) Plaintiff was also ordered to file in this court a declaration stating the date on which the documents were submitted to the United States Marshal within five days after submitting those documents.

Plaintiff, however, has not filed a declaration stating the date on which the documents necessary for service were submitted to the United States Marshall and the defendant has not appeared in this action. Plaintiff is advised that Rule 4(m) of the Federal Rules of Civil Procedure provides that a defendant must be dismissed if service of the summons and complaint is not accomplished on the defendant within 120 days after the complaint was filed.

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Accordingly, IT IS HEREBY ORDERED that plaintiff shall show cause in writing within fourteen days why this case should not be dismissed for lack of prosecution.¹ Failure to file a timely response will result in dismissal of this action.

Dated: April 23, 2015



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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¹ Plaintiff may also satisfy this order by filing a declaration stating the date on which the documents were submitted to the United States Marshal.