

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
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHERRI READE,
Plaintiff,
v.
CAROLYN W. COLVIN,
Acting Commissioner of Social Security,
Defendant.

No. 2:14-cv-1862 GEB CKD PS

FINDINGS AND RECOMMENDATIONS

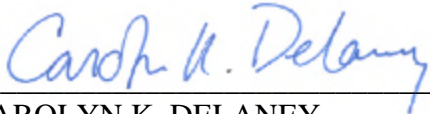
By order filed August 18, 2014, plaintiff was directed to submit to the United States Marshal a completed summons and copies of the complaint within fourteen days, and to file a statement with the court that said documents had been submitted to the United States Marshal. Plaintiff failed to timely submit the statement of compliance. Plaintiff was therefore directed to show cause why this action should not be dismissed for lack of prosecution. Plaintiff did not respond to the order to show cause and the court therefore recommended that the action be dismissed. Plaintiff then filed objections. The court thereafter vacated the findings and recommendations and ordered plaintiff to submit the requisite documents to the United States Marshal for service of process no later than November 21, 2014 and to file a statement of compliance. Plaintiff has again failed to comply with the court's order and there is no evidence that plaintiff has completed the steps necessary to effectuate service.

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
27
28

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for lack of prosecution.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: December 2, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

4 reade1862.dlop2.57