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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 CKD PS  
ORDER and  
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. There is no evidence that plaintiff has taken the proper steps to ensure service of summons by the Marshal. Plaintiff was therefore directed to show cause within fourteen days why this action should not be dismissed for lack of prosecution. That time period has expired and plaintiff has not responded to the order to show cause or otherwise completed the steps necessary to effectuate service.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court assign a District Judge to this action; and

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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: October 8, 2014

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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