

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 RAJ SINGH, KAREN SINGH,

12 Plaintiffs,

13 v.

14 WELLS FARGO BANK,

15 Defendant.
16

No. 2:15-cv-2664-JAM-EFB PS

ORDER

17 Plaintiffs initiated this action against defendant Wells Fargo Bank on December 23, 2015.
18 ECF No. 1.¹ To date, defendant has not appeared in this action. However, the court's docket
19 does not reflect that defendant has been properly served as plaintiffs have not filed with the court
20 an executed summons with proof of service.

21 Accordingly, plaintiffs are order to show cause why this case should not be dismissed for
22 failure to effect service of process within the time prescribed by Rule 4(m). Fed. R. Civ. P. 4(m);
23 E.D. Cal. L.R. 110 ("Failure of counsel or of a party to comply with these Rules or with any order
24 of the Court may be grounds for imposition by the Court of any and all sanctions authorized by
25 statute or Rule or within the inherent power of the Court."); *see also* E.D. Cal. L.R. 183 ("Any
26 individual representing himself or herself without an attorney is bound by the Federal Rules of

27
28 ¹ This case, in which plaintiffs are proceeding pro se, is before the undersigned pursuant
to Eastern District of California Local Rule 302(c)(21). *See* 28 U.S.C. § 636(b)(1).

1 Civil or Criminal Procedure and by these Local Rules.”); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th
2 Cir. 1995) (“Failure to follow a district court’s local rules is a proper ground for dismissal.”).
3 Failure to timely comply with this order may result in sanctions, including a recommendation that
4 this action be dismissed for lack of prosecution and/or for failure to follow court orders.

5 Accordingly, it is hereby ORDERED that:

6 1. Plaintiffs shall show cause, in writing, within fourteen days from the date of this order,
7 why this action should not be dismissed for failure to effect service of process within the time
8 prescribed by Rule 4(m);

9 2. Failure to comply with this order may result in the dismissal of this action for failure to
10 follow court orders, for failure to effect service of process with the time prescribed by Rule 4(m),
11 and/or for lack of prosecution under Rule 41(b); and

12 3. The Initial Scheduling Conference is continued to August 31, 2016. Not later than
13 fourteen days before the Initial Scheduling Conference, the parties shall file status reports in
14 accordance with the court’s December 23, 2015 order. *See* ECF No. 3.

15 DATED: May 18, 2016.

16 
17 EDMUND F. BRENNAN
18 UNITED STATES MAGISTRATE JUDGE
19
20
21
22
23
24
25
26
27
28