

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

REBECCA ANN CLAWSON,
Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner Of Social Security,
Defendant.

No. 2:16-cv-00944 TLN AC (PS)


FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On May 6, 2016, a scheduling order was issued in this case ordering the plaintiff to serve a copy of the scheduling order and complete service of process within 21 days of filing the complaint. ECF No. 4 at 2. On February 26, 2018, this court ordered plaintiff to show cause by March 7, 2018 as to why, over a year and a half after she was supposed to complete service, there is no evidence in the record that plaintiff has completed service. ECF No. 6. The deadline to show cause has now passed and plaintiff has taken no action in this case.

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court’s order. See Fed. R. Civ. P. 41(b); Local Rule 110.

1 These findings and recommendations are submitted to the United States District Judge
2 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one
3 (21) days after being served with these findings and recommendations, plaintiff may file written
4 objections with the court. Such document should be captioned “Objections to Magistrate Judge’s
5 Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file
6 objections within the specified time may waive the right to appeal the District Court’s order.
7 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 DATED: March 12, 2018

9 
10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28