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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	MORREY SELCK,	No. 2:19-cv-977-JAM-EFB PS
12	Plaintiff,	
13	V.	ORDER AND FINDINGS AND
14	KAISER PERMANENTE,	<u>RECOMMENDATIONS</u>
15	Defendant.	
16		
17	The court previously issued an order setting a status (pretrial scheduling) conference for	
18	February 19, 2020. ¹ The order directed plaintiff to complete service of process on the defendant	
19	within 90 days and to serve a copy of the order concurrently with service of the summons and	
20	complaint. The order also directed the parties to file status reports fourteen days prior to the	
21	scheduling conference. ECF No. 9.	
22	Plaintiff did not timely file a status report, nor did he file a proof of service demonstrating	
23	that defendant was properly served. See Fed. R. Civ. P. 4(1)(1) (requiring that proof of service be	
24	made to the court). Accordingly, the status conference was continued, and plaintiff was ordered	
25	to show cause, by no later than March 25, 2020, why this case should not be dismissed for failure	
26	to effect service of process and/or failure to comply with the court's order. See Fed. R. Civ. P.	
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28	¹ This case, in which plaintiff is proceeding in propria persona, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1).	
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1	41(b); Fed. R. Civ. P. 4(m); E.D. Cal. L.R. 110 ("Failure of counsel or of a party to comply with		
2	these Rules or with any order of the Court may be grounds for imposition by the Court of any and		
3	all sanctions authorized by statute or Rule or within the inherent power of the Court."); see also		
4	E.D. Cal. L.R. 183 ("Any individual representing himself or herself without an attorney is bound		
5	by the Federal Rules of Civil or Criminal Procedure and by these Local Rules."). Plaintiff was		
6	also admonished that failure to do so would result in a recommendation that this action be		
7	dismissed. Id.		
8	The deadline has passed, and plaintiff has not responded to the court's order to show		
9	cause. ²		
10	Accordingly, it is hereby ORDERED that the April 8, 2020 scheduling conference is		
11	vacated.		
12	Further, it is RECOMMENDED that this action be dismissed for failure to timely effect		
13	services of process, failure to comply with court orders, and for lack of prosecution.		
14	These findings and recommendations are submitted to the United States District Judge		
15	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days		
16	after being served with these findings and recommendations, any party may file written		
17	objections with the court and serve a copy on all parties. Such a document should be captioned		
18	"Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections		
19	within the specified time may waive the right to appeal the District Court's order. <i>Turner v</i> .		
20	Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).		
21	Dated: April 6, 2020.		
22	Elmund toblem		
23	EDMUND F. BRENNAN UNITED STATES MAGISTRATE JUDGE		
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25			
26	² Although it appears from the file that plaintiff's copy of the order was returned, plaintiff		
27	was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of		
28	the party is fully effective.		
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