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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MOHAMEDSALEEM MUBARAK ALI
and PARVEEN BANU MOHAMMED
BABU,

Plaintiffs,

v.

SAN FRANCISCO ASYLUM OFFICE
and UNITED STATES CITIZENSHIP
AND IMMIGRATION SERVICE,

Defendants.

No. 2:24-cv-0654 DJC AC

ORDER TO SHOW CAUSE

Plaintiffs, appearing in pro se, filed a complaint and moved to proceed in forma pauperis pursuant 28 U.S.C. § 1915. ECF Nos. 1, 2. The court granted the motion to proceed with IFP status and, on May 20, 2024, directed plaintiffs to submit service documents to the court within 15 days. ECF No. 3. Plaintiffs did not initially submit their service documents and on August 22, 2024, the undersigned issued an Order to Show Cause why the case should not be dismissed for failure to prosecute. ECF No. 6. Plaintiffs responded (ECF No. 7) and submitted service documents (ECF No. 9, 11). However, on February 2, 2025, the summons to defendant USCIS was returned unexecuted by the Marshals Service. ECF No. 13. Nothing was filed regarding the San Francisco Asylum Office.

1 Upon review of summons that was returned unexecuted, it is apparent that plaintiffs did
2 not provide the proper information needed for the Marshals Service to complete service. ECF
3 No. 13. Federal Rule of Civil Procedure 4(i) outlines the rule for serving the United States, as
4 well as its agencies and employees. The Rule requires a plaintiff to take three steps:

5 (A)(i) deliver a copy of the summons and of the complaint to the
6 United States attorney for the district where the action is brought—
7 or to an assistant United States attorney or clerical employee whom
8 the United States attorney designates in a writing filed with the court
9 clerk—or (ii) send a copy of each by registered or certified mail to
10 the civil-process clerk at the United States attorney’s office;

11 (B) send a copy of each by registered or certified mail to the Attorney
12 General of the United States at Washington, D.C.; and

13 (C) if the action challenges an order of a nonparty agency or officer
14 of the United States, send a copy of each by registered or certified
15 mail to the agency or officer.

16 Fed. R. Civ. P. 4(i). The Attorney General has designated the Assistant Attorney General for
17 Administration, Justice Management Division, to accept service of summonses and complaints.

18 28 C.F.R. § 0.77(j). The U.S. Department of Justice is located at 950 Pennsylvania Avenue, NW,
19 Washington, DC 20530-0001. The agency USCIS can be served at the Office of the Chief
20 Counsel, 5900 Capital Gateway Drive, Mail Stop 2120, Camp Springs, MD 20588-000. The
21 United States Attorney’s Office can be served at Civil Process Clerk for the United States
22 Attorney’s Office, Fresno: Robert E. Coyle United States Courthouse, 2500 Tulare Street, Suite
23 4401, Fresno, CA, 93721.

24 It is apparent the plaintiffs have not followed the instructions in Rule 4(i). Accordingly,
25 plaintiffs are ORDERED to properly complete service. Plaintiffs must re-submit corrected
26 service documents to the U.S. Marshals Service and file a notice with the court no later than
27 March 14, 2025. Local Rule 110 provides that failure to comply with court orders or the Local
28 Rules may be grounds for imposition of any and all sanctions authorized by statute or Rule or
within the inherent power of the Court.

 Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiffs are Ordered to Show Cause in writing, no later than March 14, 2025, why this
action should not be dismissed for failure to prosecute;

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- 2. Plaintiffs' filing of proper proofs of service upon defendants will be deemed good cause shown; and
- 3. If plaintiffs fail to comply with this order, the case will be dismissed without prejudice for failure to prosecute.

DATED: March 5, 2025



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE