

United States District Court

For the Northern District of California

1 JUNE GORDY, No. C 08-4414 JL
2 Plaintiff,3 v.
4 CITY & COUNTY OF SAN FRANCISCO,
5 ET AL.,
6 Defendants.**Referral for Reassignment with
Recommendation that Case be
Dismissed with Prejudice**

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8 Plaintiff filed the complaint in this case before this Court on September 19, 2008,
9 one year ago. Defendants should have been served with the summons and complaint on or
10 before January 19, 2009, pursuant to Rule 4(m), Federal Rules of Civil Procedure. The
11 Court continued the case management conference four times at Plaintiff's request, but she
12 did not request any extension of the time to serve Defendants. Nor has Plaintiff filed either
13 a consent to this Court's jurisdiction pursuant to 28 U.S.C. §636(c) or a request for
14 reassignment to a district court judge.

15 Accordingly, this Court issued an Order to Show Cause to Plaintiff ordering her to file
16 either a consent to this Court's jurisdiction or a request for reassignment to a district court
17 judge on or before September 25, 2009. In the Order, the Court advised Plaintiff that if she
18 either requested reassignment or fail to file by the deadline, the Court would refer her case

1 for reassignment to a district judge. She was further ordered to serve at least one of the
2 Defendants in this case with the summons and complaint in this case and all other papers
3 required to be served according to the Civil Local Rules for the Northern District of
4 California, on or before September 25, 2009, or show cause why her case should not be
5 dismissed with prejudice for failure to prosecute, pursuant to Rule 41(b), Federal Rules of
6 Civil Procedure. This Court also advised Plaintiff that in the event that she failed to serve
7 any Defendant by the deadline set by this Court and that her case was reassigned to a
8 district judge, this Court would recommend that her case be dismissed with prejudice for
9 failure to prosecute.

10 Accordingly, Plaintiff having failed to fulfill any of this Court's orders, in fact having
11 done nothing to pursue her case, her case is hereby referred for reassignment to a district
12 court judge with the recommendation that it be dismissed with prejudice for failure to
13 prosecute.

14 IT IS SO ORDERED.

15 DATED: September 28, 2009



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17 James Larson
18 U.S. Magistrate Judge
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