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UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

ALICE RIVAS,

No. C 12-05027 LB

Plaintiff,

**ORDER TO SHOW CAUSE RE:
FAILURE TO PROSECUTE**

v.

METROPOLITAN LIFE INSURANCE
COMPANY, et al.,

Defendants.

Plaintiff filed a complaint against Defendants on September 27, 2012. Complaint, ECF No. 1. Under Federal Rule of Civil Procedure 4(m), a plaintiff normally has 120 days from the filing of the complaint to serve the complaint and summons on a defendant. Fed. R. Civ. P. 4(m). This means that in this case Plaintiff had until January 25, 2013 to serve Defendants. Fed. R. Civ. P. 4(m), 6(a)(1)(C). To date, Plaintiff has filed no proof that Defendants have been served. *See generally* Docket.

Accordingly, the court **ORDERS** Plaintiff to show cause why this action should not be dismissed for failure to prosecute. Plaintiff **SHALL** do so by filing a written response no later than Thursday, February 21, 2013. The court **SETS** a show cause hearing for Thursday, March 7, 2013 at 11:00 a.m. in Courtroom C, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California, 94102.

In light of this order, the court **CONTINUES** the initial case management conference, currently

1 set for February 21, 2013, to April 4, 2013 at 11:00 a.m. in Courtroom C, 15th Floor, United States
2 District Court, 450 Golden Gate Avenue, San Francisco, California, 94102.

3 **IT IS SO ORDERED.**

4 Dated: February 15, 2013



5 LAUREL BEELER
6 United States Magistrate Judge

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