

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

ANTHONY MALFATTI and
CASA D'ORO MINISTRIES,

No. C 13-287 LB

Plaintiffs,

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

v.

SPECIALIZED LOAN SERVICING LLC,

Defendant.

Plaintiff filed a complaint against Defendant on January 22, 2013. 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 May 22, 2013 to serve Defendants. Fed. R. Civ. P. 4(m), 6(a)(1)(C). To date, Plaintiff has filed no proof that Defendant has been served. *See generally* Docket.

Accordingly, the court ORDERS Plaintiff to file proof of service by July 5, 2013 (or show good cause by that date for the failure to serve). Failure to do either of these will result in dismissal of the case without prejudice under Rule 4 (m) for failure to prosecute.

IT IS SO ORDERED.

Dated: June 28, 2013



LAUREL BEELER
United States Magistrate Judge