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28United States District Court
For the Northern District of CaliforniaIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIACHARLES KINNEY,
Plaintiff,

v.

STATE BAR OF CALIFORNIA, et al.,
Defendants.

No. C-13-1396 MMC

**ORDER DIRECTING PLAINTIFF TO
SHOW CAUSE WHY CLAIMS AGAINST
REMAINING DEFENDANTS SHOULD
NOT BE DISMISSED**

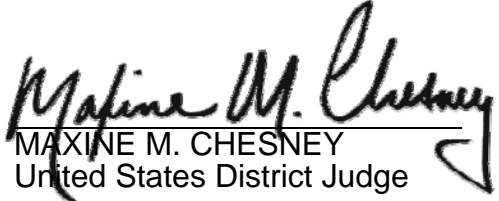
On March 28, 2012, plaintiff filed the instant complaint, naming therein four defendants, specifically, the State Bar, the City of Los Angeles, California Superior Court Judge Luis A. Lavin, and California Court of Appeal Justice Roger W. Boren. By order filed May 9, 2013, the Court dismissed plaintiff's claims against the State Bar. By order filed July 3, 2013, the Court advised plaintiff that his claims against the other three defendants remained pending and that the deadline to serve those three defendants was July 26, 2013. To date, plaintiff has failed to file proof of service of the summons and complaint upon any of the three remaining defendants.

"If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time." Fed. R. Civ. P. 4(m).

1 Accordingly, pursuant to Rule 4(m), plaintiff is hereby ORDERED TO SHOW
2 CAUSE, in writing and no later than August 16, 2013, why plaintiff's claims against the City
3 of Los Angeles, California Superior Court Judge Luis A. Lavin, and California Court of
4 Appeal Justice Roger W. Boren should not be dismissed for failure to serve within the time
5 required by Rule 4(m).

6 **IT IS SO ORDERED.**

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8 Dated: July 31, 2013


MAXINE M. CHESNEY
United States District Judge

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