

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

D.C., et al.,

Plaintiffs,

v.

VALENTINO WALKER,

Defendant.

Case No. [17-cv-00719-MEJ](#)**ORDER TO SHOW CAUSE**

On February 13, 2017, Plaintiffs D.C., et al. filed the instant complaint. On May 11, 2017, the Court explained that because it had denied Plaintiffs' applications to proceed in forma pauperis, Plaintiffs were responsible for serving Defendants. Status Order, Dkt. No. 13. Plaintiffs successfully served a number of Defendants, but did not serve Defendant Valentino Walker. Proof of Service, Dkt. No. 14. On September 25, 2017, the Court reminded Plaintiffs that "[p]ursuant to Federal Rule of Civil Procedure 4(m), '[i]f a defendant is not served within 90 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.'" Order Dismissing Certain Defendants and Requiring Plaintiffs to Serve Defendant Walker at 2, Dkt. No. 31, Dkt. No. 31 (quoting Fed. R. Civ. P. 4(m)). The Court ordered Plaintiffs to serve Walker within 30 days of the date of that Order, or to show good cause why that deadline should be extended. *Id.* To date, no proof of service of the summons and complaint has been filed, and Plaintiffs have not requested to extend the deadline. *See* Dkt.

Accordingly, pursuant to Rule 4(m), the Court ORDERS Plaintiffs to show cause, in writing and no later than November 30, 2017, why this case should not be dismissed for failure to serve within the time required by Rule 4(m). Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiffs do not intend to prosecute, and the

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case will be dismissed without prejudice. Thus, it is imperative that the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: October 31, 2017



MARIA-ELENA JAMES
United States Magistrate Judge