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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
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6 WAYNE RUDDER D/B/A LOW INCOME  
7 IMMIGRATION ASSISTANCE, INC.,

8 **Plaintiff,**

9 vs.

10 YOLA, INC. *et al.*,

11 **Defendant(s).**

Case No.: 12-CV-02087 YGR

ORDER DISMISSING CASE FOR FAILURE TO  
PROSECUTE

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13 When a plaintiff is granted *in forma pauperis* status, the marshal will serve all documents  
14 upon the defendants, including a copy of the summons and complaint. Plaintiff has not provided an  
15 address for service on the Defendants. By Order issued September 27, 2012, Plaintiff was directed  
16 to file, no later than October 26, 2012: (1) an address for each Defendant; or (2) a one-page  
17 statement setting forth good cause why this action should not be dismissed for failure to serve.  
18 Plaintiff did not file either document.

19 Plaintiff was warned that if the marshal is unable to effectuate service and the plaintiff is so  
20 informed, the plaintiff must seek to remedy the situation or face dismissal of his claims for failure  
21 to serve under Federal Rule of Civil Procedure 4(m). *See* Fed. R. Civ. P. 4(m) (if service of the  
22 summons and complaint is not made within 120 days after the filing of the complaint, the action  
23 must be dismissed without prejudice as to that defendant absent a showing of "good cause").

24 Therefore, pursuant to Federal Rule of Civil Procedure 4(m), this action is **DISMISSED**  
25 **WITHOUT PREJUDICE.**

26 **IT IS SO ORDERED.**

27 **Date: January 29, 2013**

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE