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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KENNETH E MELIA,  
Plaintiff,  
v.  
CAROLYN W. COLVIN,  
Defendant.

Case No. [14-cv-03793-PJH](#)

**ORDER TO SHOW CAUSE**

TO PLAINTIFF KENNETH E. MELIA:

YOU ARE HEREBY ORDERED TO SHOW CAUSE IN WRITING, no later than March 9, 2015, why this action should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m). The complaint in the above-entitled action was filed on August 21, 2014. Under Rule 4(m), the summons and complaint must be served within 120 days of the filing of the complaint. The court notes that the deputy clerk telephoned plaintiff's counsel as a courtesy to alert him that no summons has been presented to, or issued by, the clerk. To date, plaintiff has not presented a summons to the clerk, and the named defendant has not entered an appearance. Plaintiff's failure to respond timely to the order to show cause will result in dismissal without prejudice pursuant to Rule 4(m).

**IT IS SO ORDERED.**

Dated: February 23, 2015

  
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PHYLLIS J. HAMILTON  
United States District Judge