

United States District Court
For the Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

GERMAIN CEFALU,)	Case No.: 10-CV-02778-LHK
)	
Plaintiff,)	
v.)	ORDER DISMISSING CASE FOR
)	FAILURE TO PROSECUTE
ALLIANCE BANCORP, et al.,)	
)	
Defendants.)	
)	

The Complaint in this case was filed on June 24, 2010. The Plaintiff moved for an ex parte Temporary Restraining Order on the same day; this request was denied by the Court on June 25, 2010. *See* Dkt. No. 13. No proof of service on Defendants has been filed in this matter, although the deadline for service passed in October, 2010. On January 27, 2011, the Court issued an Order to Show Cause why the case should not be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 4(m). The response deadline was February 28, 2011, but as of the date of this Order, no response was filed.

Accordingly, this case is DISMISSED WITHOUT PREJUDICE for failure to prosecute, pursuant to Rule 4(m). The Clerk shall close the file.

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IT IS SO ORDERED.

Dated: March 8, 2011



LUCY H. KOH
United States District Judge