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

CARMEN ROSALES, et al.,

Plaintiffs,

v.

VICKY ALVAREZ ROSALES, et al.,

Defendants.


Case No. 13-cv-01316-BLF

**ORDER TO SHOW CAUSE WHY  
ACTION SHOULD NOT BE DISMISSED  
AS TO UNSERVED DEFENDANTS**

On June 12, 2015, Plaintiffs filed a notice of voluntary dismissal with prejudice as to Defendants JPMorgan Chase Bank, N.A., EMC Mortgage LLC, and Wells Fargo Bank, N.A. *See* Notice of Dismissal, ECF 91. It does not appear that any of the remaining defendants, Vicky Alvarez Rosales, Mortgagepointer.com, Inc., Jagdeep Kapoor, Rana Saluja, Alisha Carroll, or Estate of Salvador Rosales, have been served. Under Federal Rule of Civil Procedure 4(m), a defendant may be dismissed if not served within 120 days after complaint is filed. Fed. R. Civ. P. 4(m). All of the unserved defendants were named in the amended complaint filed on November 18, 2013. Thus the deadline for effecting service of process long since has elapsed.

Plaintiffs are hereby ORDERED TO SHOW CAUSE in writing and within fourteen days why the unserved defendants should not be should not be dismissed from the action without prejudice for failure to effect timely service of process.

Dated: June 17, 2015

  
BETH LABSON FREEMAN  
United States District Judge