

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
9

10 HAMID ASGARI,

11 Plaintiff,

12 v.

13 IMMIGRATION OF PHOENIX,
14 IMMIGRATION OF
15 CALIFORNIA, HOMELAND
16 SECURITY (AZ), POLICE OF
PHOENIX, and FBI (AZ),

17 Defendants.

Case No.: 17-cv-1759-WQH-BGS

ORDER

18 HAYES, Judge:

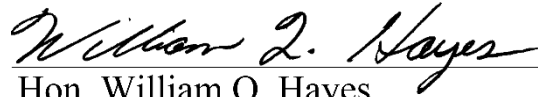
19 On August 31, 2017, Plaintiff Hamid Asgari initiated this action by filing the
20 Complaint (ECF No. 1). On January 29, 2018, the Court issued an Order stating:

21 [T]he Court will dismiss this action against all Defendants without prejudice
22 on March 2, 2018 unless, no later than that date, Plaintiff files either (1) proof
23 that service of the Amended Summons and Complaint was timely effectuated
24 or (2) a declaration under penalty of perjury showing good cause for failure
to timely effect service upon the Defendants accompanied by a motion for
leave to serve process outside of the 90-day period.

25 (ECF No. 13 at 2). On March 5, 2018, the Court issued an Order dismissing the Complaint
26 without prejudice on the grounds that “Plaintiff ha[d] filed neither proof that service of the
27 Amended Summons and Complaint was timely effectuated nor a declaration showing good
28 cause for failure to timely effect service upon the Defendants.” (ECF No. 14 at 1).

1 On April 18, 2018, Asgari filed a Phoenix Municipal Court Judgment and Sentence
2 Order (ECF No. 16). The Phoenix Municipal Court Judgment and Sentence Order (ECF
3 No. 16) is neither “proof that service of the Amended Summons and Complaint was timely
4 effectuated nor a declaration showing good cause for failure to timely effect service upon
5 the Defendants.” (ECF No. 14 at 1). The Complaint (ECF No. 1) remains DISMISSED.

6 Dated: April 19, 2018



Hon. William Q. Hayes

United States District Court

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28