

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TARIQ JABRI, and FALON CHARLES-
JABRI, :

Plaintiffs, :

v. :

MARILYN GONZALEZ a/k/a BRANCH
MANAGER FOR CAPITAL ONE BANK,
and RICHARD D. FAIRBANK CAPITAL
ONE CHAIRMAN AND CEO. :

Civil Action No. 22-7448 (JXN) (AME)

and

Civil Action No. 23-600 (JXN) (AME)

OPINION

TARIQ JABRI, and FALON CHARLES-
JABRI, :

Plaintiffs, :

v. :

MARILYN GONZALEZ a/k/a BRANCH
MANAGER FOR CAPITAL ONE BANK,
and RICHARD D. FAIRBANK CAPITAL
ONE CHAIRMAN AND CEO, :

Defendants. :

NEALS, District Judge:

1. On December 15, 2023, the Court granted Defendant Richard Fairbanks Capital One Chairman and CEO’s (together, the “Defendants”) motion to dismiss (ECF No. 7) *pro se* Plaintiffs Tariq Jabri and Falon Charles-Jabri’s (together, the “Plaintiffs”) amended complaint (ECF No. 6-2) (the “Amended Complaint”); and dismissed the Amended Complaint without prejudice. (ECF Nos. 16-17). Plaintiffs had 60 days from the Court’s Order, or until February 16, 2024, to effect proper service of process. (ECF No. 17).

2. To date, Plaintiffs have not made proper service. To that end, Defendants request that the Court dismiss the Amended Complaint with prejudice because Plaintiffs failed to make proper service. (ECF No. 26). Plaintiffs also filed a motion for default judgment (ECF No. 18), which Defendants opposed (ECF No. 19).

Accordingly, for all the foregoing reasons, it is hereby,

ORDERED that because Plaintiff did not make proper service within the allotted time, the Amended Complaint is **DISMISSED with prejudice**; it is further

ORDERED that Plaintiffs' motion for default judgment (ECF No. 18) is denied because default was not entered against Defendants; it is further

ORDERED that Plaintiffs' "Notice of Forum Shopping" (ECF No. 25) is denied to the extent it is a separate motion; it is further

ORDERED that Defendants' motion to dismiss and opposition to Plaintiffs' motion for default judgment (ECF No. 19) is denied as moot; and it is further

ORDERED that the Clerk of Court shall **CLOSE** this matter.

DATED: 4/24/2024

s/ Julien Xavier Neals
JULIEN XAVIER NEALS
United States District Judge