

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DAMIAN GARCIA,  
Petitioner,

No. 1:17-cv-691-MCA-KRS

v.

TODD GEISEN, Captain/Warden Bureau  
of Indian Affairs, Office of Justice Services,  
Division of Corrections, ROBERT CORIZ,  
Governor, Kewa Pueblo, ESQUIPULA TENORIO,  
Lieutenant Governor, Kewa Pueblo, all in their  
individual and official capacity, and DEAN OWEN,  
BIA Federal Officer #349, Bureau of Indian Affairs,  
Southern Pueblos Agency, Office of Justice Services,  
Respondents.

**ORDER TO SHOW CAUSE**

**THIS MATTER** is before the Court *sua sponte* following a review of Respondent Geisen's Answer to Petition for Writ of Habeas Corpus [Doc. 5]. Included in Respondent Geisen's answer is the allegation that Respondent Owen should be dismissed from this action on the ground that he is an improper party. [Doc. 5, pp. 7-8]. Petitioner has neither responded to this allegation nor effectuated service upon Mr. Owen. The latter is in violation of Fed. R. Civ. P. 4(m).

**IT IS, THEREFORE, ORDERED** that **on or before December 7, 2017**, Petitioner shall file a response to this order showing cause why Respondent Owen should not be dismissed from this action. Petitioner is hereby notified that failure to respond to this order may result in Respondent Owen's dismissal from this case without prejudice and without further notice.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE