1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 9 10 JOSEPH GANJE, CASE NO. 2:15-CV-0074 JRC Plaintiff, 11 ORDER DISMISSING CASE 12 v. PURSUANT TO FED. R. CIV. P. 4(m) CAROLYN W. COLVIN, Acting 13 Commissioner of the Social Security 14 Administration, Defendant. 15 16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local 17 Magistrate Judge Rule MJR 13 (see also Notice of Initial Assignment to a U.S. Magistrate Judge 18 and Consent Form, Dkt. 2; Consent to Proceed Before a United States Magistrate Judge, Dkt. 4). 19 Plaintiff was ordered to provide proof of service or show cause why this matter should 20 not be dismissed for lack of prosecution by November 13, 2015 (Dkt. 7). Plaintiff was warned 21 that failure to provide proof of service within this time period or show cause within this time 22 period would result in an order dismissing this action (id.). 23 24

1 PROCEDURAL HISTORY 2 This case was filed in this Court on January 16, 2015 (Dkt. 1). An Affidavit of Service (Dkt. 6) was filed on January 29, 2015 informing the Court that the Summons and Complaint had 3 been served, but only as to defendant, CAROLYN W. COLVIN, Acting Commissioner of the 5 Social Security Administration. A Notice of Appearance (Dkt. 5) on behalf of defendant was filed on January 29, 2015. On October 23, 2015, this Court issued an Order to Show Cause why 6 7 this matter should not be dismissed (Dkt. 7). Plaintiff was ordered to show cause by November 13, 2015 why this matter should not be dismissed. As of this date, plaintiff has provided the 8 Court with no information. 10 STANDARD 11 Fed. R. Civ. P. 4(m) requires the court to provide notice to plaintiff before the matter may be dismissed for lack of prosecution. This notice has been provided (see Dkt. 7). 12 13 CONCLUSION 14 Plaintiff has failed to provide proof of service or show cause why this matter should not 15 be dismissed for lack of prosecution. The Court hereby ORDERS that pursuant to Fed. R. Civ. 16 P. 4(m) this matter is dismissed without prejudice. 17 Dated this 3rd day of December, 2015. 18 19 J. Richard Creatura United States Magistrate Judge 20 21 22 23 24