

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 18-1081 FMO (SKx)	Date	August 27, 2018
Title	Michael J Pravetz v. Federal Retirement Thrift Investment Board		

Present: The Honorable **Fernando M. Olguin, United States District Judge**

Vanessa Figueroa

None Present

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Present

None Present

Proceedings: (In Chambers) Order Re: Lack of Prosecution

Plaintiff filed his complaint on May 21, 2018. (See Dkt. 1, Complaint). On August 7, 2018, the court issued an Order to Show Cause ("OSC") re Dismissal for Lack of Prosecution, (see Dkt. 9, Court's Order of August 7, 2018), directing plaintiff to show cause why defendant should not be dismissed for lack of prosecution. (See id.). It stated that the OSC would stand submitted upon the filing of an answer or a proof of service. (See id.).

On August 9, 2018, plaintiff filed his Response to the OSC, (see Dkt. 10), in which he maintained that the deadline for service was August 20, 2018, (see id. at 1), and that he expected service to be accomplished by no later than August 13, 2018. (See id. at 2). However, as of the date of this Order, plaintiff has not filed a proof of service reflecting service on defendant. (See, generally, Dkt.).

Absent a showing of good cause, an action or party must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. Fed. R. Civ. P. 4(m).

Based on the foregoing, IT IS ORDERED THAT:

1. No later than **September 4, 2018**, plaintiff shall file a proof of service reflecting valid service of process on defendant.

2. Plaintiff is admonished that failure to file a proof of service by the September 4, 2018, deadline will result in this action being dismissed without prejudice for failure to effect service of process, lack of prosecution and/or failure to comply with the orders of the court. See Fed. R. Civ. P. 4 & 41(b); Link v. Wabash R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

3. The Order to Show Cause Re: Dismissal Re: Lack of Prosecution, is hereby continued pending compliance with paragraph one above.

Initials of Preparer

vdr