

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cassandra L. Johnson v. Louis DeJoy, et al.

Johnson v. DeJoy · No. 2:25-cv-1058-DAD-JDP (PS) · Decided November 19, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered plaintiff Cassandra L. Johnson to show cause within fourteen days why the action should not be dismissed without prejudice for failure to serve the defendants within the period prescribed by Federal Rule of Civil Procedure 4(m). The court warned that failure to respond would result in a recommendation of dismissal for failure to effect service of process.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 19, 2025
DOCKET	2:25-cv-1058-DAD-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued in a pro se civil action after plaintiff failed to file proofs of service and none of the defendants appeared.
PRECEDENTIAL VALUE	unpublished
PARTIES	Cassandra L. Johnson v. Louis DeJoy, et al.

TOPICS

service of process civil procedure

PRACTICE AREAS

civil procedure process and service

QUESTIONS PRESENTED

- Whether plaintiff should be required to show cause why the action should not be dismissed without prejudice for failure to timely effect service of process.

2. Whether plaintiff's pro se status constitutes good cause for failing to timely serve the defendants.

HOLDINGS

1. A party's pro se status, standing alone, does not constitute good cause for failing to timely effect service of process.

KEY QUOTATIONS

“Under Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”” (at 1)

“However, “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.”” (at 1)

“Although a pro se litigants are generally afforded more latitude than one represented by counsel, a party’s pro se status does not constitute “good cause” for failing to timely effect service.” (at 1)

FACTUAL BACKGROUND

Cassandra L. Johnson commenced the action in April 2025. None of the defendants had appeared, and plaintiff had not filed proofs of service demonstrating that defendants were properly served within the time required by Federal Rule of Civil Procedure 4(m).

PROCEDURAL HISTORY

Plaintiff commenced the action in April 2025. As of the order, no defendant had appeared and plaintiff had not filed proofs of service showing proper service. The court ordered plaintiff to show cause within fourteen days why the action should not be dismissed without prejudice under Federal Rule of Civil Procedure 4(m).

DISPOSITION

other

CASES CITED

- King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987)
- Townsel v. Contra Costa County, 820 F.2d 319, 320 (9th Cir. 1987)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 CASSANDRA L. JOHNSON, Case No. 2:25-cv-1058-DAD-JDP (PS) 12
Plaintiff, 13 v. ORDER TO SHOW CAUSE 14 LOUIS DEJOY, et al., 15 Defendants. 16 17
Plaintiff commenced this action in April 2025.

To date, none of the defendants have appeared in this action, and plaintiff has not filed proofs of service demonstrating that defendants were properly served. See Fed. R. Civ. P. 4(l). Under Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed.

R. Civ. P. 4(m). However, “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.* Although a pro se litigant is generally afforded more latitude than one represented by counsel, a party’s pro se status does not constitute “good cause” for failing to timely effect service. See *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir.

1987) (“Pro se litigants must follow the same rules of procedure that govern other litigants.”); *Townsel v. Contra Costa Cnty.*, 820 F.2d 319, 320 (9th Cir. 1987) (holding that ignorance of service requirements does not constitute “good cause” for failure to timely effect service); see also E.D. Cal. L.R. 183(a) (“Any individual representing himself or herself without an attorney is bound by the Federal Rules of Civil or Criminal Procedure, these Rules, and all other applicable law.”).

Accordingly, it is hereby ORDERED that: 1. Plaintiff shall show cause within fourteen days from the date of this order why this action should not be dismissed for failure to effect service of process within the time prescribed by Rule 4(m). 2. Plaintiff is warned that failure to respond to this order will result in a recommendation that this action be dismissed without prejudice for failure to effect services of process.

IT IS SO ORDERED. Dated: November 19, 2025. JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE