

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Rodriguez-Sorto v. The Geo Group, Inc.

No. 1:25-cv-00346 JLT CDB, United States District Court for the Eastern District of California (July 15, 2025)

OPINION

Rodriguez-Sorto v. The Geo Group, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 ALEXIS RODRIGUEZ-SORTO, Case No. 1:25-cv-00346 JLT CDB 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

13 v. RECOMMENDATIONS AND

DISMISSING DEFENDANTS UNITED

14 THE GEO GROUP, INC., et al., STATES OF AMERICA AND U.S.

IMMIGRATION AND CUSTOMS

15 Defendants. ENFORCEMENT WITHOUT PREJUDICE

PURSUANT TO FED. R. CIV. P. 4(i) & (m)

16 17 (Docs. 2, 4, 5, 6) 18 19 Alexis Rodriguez-Sorto filed this lawsuit on March 21, 2025,
against The Geo Group, 20 Inc., Golden State Annex, the United States of America, and U.S.
Immigration and Customs 21 Enforcement. (Doc. 1). The matter was referred to a United States
magistrate judge pursuant to 28 22 U.S.C. § 636(b)(1)(B) and Local Rule 302. 23 On June 13,
2025, the Court ordered Plaintiff to show cause no later than June 20, 2025, 24 why unserved
defendants or this action in its entirety should not be dismissed. (Doc. 4.) Citing 25 Fed. R. Civ. P.
4(m), the Court admonished Plaintiff that, absent a showing of good cause, 26 defendants not
served within 90 days after the filing of the complaint must be dismissed. Id. The 27 Court
informed Plaintiff she could comply with the OSC in the alternative by filing executed 28 proofs
of service of summons and complaint upon all Defendants by that same deadline. Id. 1 On June
16, 2025, Plaintiff timely filed a return of service as to Defendants Golden State 2 | Annex and
The Geo Group. (Doc. 5.) No return of service was filed as to the United States and 3 | ICE
("Government Defendants"), Plaintiff has not filed any declaration in response to the OSC 4 |
regarding the failure to serve Government Defendants, and the time to do so has passed. 5
Following Plaintiffs failures to file any return of service for Government Defendants or a 6 ||
response to the OSC regarding the failure, on June 24, 2025, the assigned magistrate judge issued
7 | findings and recommendations that the Court exercise its broad discretion to decline to extend

the 8 | time within which Plaintiff may effect service of process upon Government Defendants, and that 9 | Government Defendants be dismissed without prejudice pursuant to Rules 4(i) and (m). (Doc. 6 at 10 3) (citing *In re Sheehan*, 253 F.3d 507, 512 (9th Cir. 2001).) The Court served the findings and 11 | recommendations on the Plaintiff and notified him that any objections were due within 14 days. 12 | (Doc. 6 at 4.) The Court advised him that the “failure to file objections within the specified time 13 | may result in the waiver of rights on appeal.” (/d., citing *Wilkerson v. Wheeler*, 772 F.3d 834, 14 | 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed. 15 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a de novo review of this 16 | case. Having carefully reviewed the matter, the Court concludes the findings and 17 || recommendations are supported by the record and proper analysis. Thus, the Court ORDERS: 18 1. The findings and recommendations issued June 24, 2025 (Doc. 6) are ADOPTED in 19 full. 20 2. Defendants United States of America and U.S. Immigration and Customs Enforcement 21 are DISMISSED without prejudice pursuant to Federal Rules of Civil Procedure 4(i) 22 and (m). 23 3. The Clerk of the Court is DIRECTED to terminate Defendants United States of 24 America and U.S. Immigration and Customs Enforcement. 25 26 IT IS SO ORDERED. o7 | Dated: _ July 15, 2025 Charis [Tourn
TED STATES DISTRICT JUDGE

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