

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

William Pierce v. Los Angeles County et al.

No. CV 24-10449-SK, United States District Court for the Central District of California (August 1, 2025)

SUMMARY

The United States District Court issued an order to show cause regarding the possible dismissal of Defendants Ahmed Emdad and Dr. Norma Dolmo for lack of prosecution. The plaintiff was directed to show by August 15, 2025 that service was completed within the 90-day period under Federal Rule of Civil Procedure 4(m) or that good cause existed for the failure to serve; failure to respond would be deemed consent to dismissal without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Steve Kim
JURISDICTION	United States District Court for the Central District of California
DECIDED	August 1, 2025
DOCKET	CV 24-10449-SK
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why Defendants Ahmed Emdad and Dr. Norma Dolmo should not be dismissed without prejudice for lack of prosecution based on the absence of timely proofs of service.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	William Pierce v. Los Angeles County, Ahmed Emdad, Dr. Norma Dolmo

TOPICS

- service of process
- motions to dismiss
- civil procedure

PRACTICE AREAS

- civil rights
- civil procedure

QUESTIONS PRESENTED

1. Whether the court should require Plaintiff to show cause why Ahmed Emdad and Dr. Norma Dolmo should not be dismissed without prejudice for failure to effect and document service within the time required by Federal Rule of Civil Procedure 4(m).
2. Whether the court may act on its own motion to dismiss defendants for lack of prosecution.

HOLDINGS

1. A federal court has inherent power to dismiss an action for lack of prosecution on its own motion.
2. Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed.

KEY QUOTATIONS

“Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a Defendant within 90 days after the complaint is filed.”

“Failure to respond to this Order to Show Cause will be deemed consent to the dismissal of the indicated Defendants.”

FACTUAL BACKGROUND

Plaintiff filed a civil action naming, among others, Ahmed Emdad and Dr. Norma Dolmo as defendants. Plaintiff had not filed proofs of service showing that those defendants were served within 90 days after the complaint was filed. The court therefore required Plaintiff to demonstrate timely service or good cause for the failure.

PROCEDURAL HISTORY

Plaintiff filed the complaint but had not filed proofs of service for Ahmed Emdad and Dr. Norma Dolmo within 90 days. The court ordered Plaintiff to show cause by August 15, 2025, either by demonstrating timely service or good cause for failing to serve. The order stated that failure to respond would be deemed consent to dismissal.

DISPOSITION

other

CASES CITED

- Link v. Wabash R. Co., 370 U.S. 626 (1962)

OPINION

William Pierce v. Los Angeles County

PER CURIAM.

CIVIL MINUTES – GENERAL

Case No. CV 24-10449-SK Date: August 1, 2025 Title William Pierce v. Los Angeles County et al

Present: The Honorable: Steve Kim, United States Magistrate Judge Connie Chung n/a Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiff(s): Attorneys Present for Defendant(s): None present None present Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL FOR LACK OF PROSECUTION

For the reason indicated below, Plaintiff is ordered to show cause on or before August 15, 2025 why Defendants Ahmed Emdad and Dr. Norma Dolmo should not be dismissed for lack of prosecution. *Link v. Wabash R. Co.*, 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion). Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a Defendant within 90 days after the complaint is filed. Plaintiff has failed to file a proof of service within 90 days of the filing of the Complaint on the indicated Defendants. Plaintiff can satisfy this order by showing that service was effectuated within the 90 day deadline or by showing good cause for the failure to do so. Fed. R. Civ. P. 4(m). Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of Plaintiff's response. Failure to respond to this Order to Show Cause will be deemed consent to the dismissal of the indicated Defendants. IT IS SO ORDERED.