

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Tarik Smith v. County of Riverside, et al.

No. 5:25-cv-00545-FLA (SK), United States District Court for the Central District of California (June 10, 2025)

SUMMARY

The court orders plaintiff Tarik Smith to show cause why claims against defendants Sarai Camacho and Rebecca Zamora should not be dismissed for failure to serve them within the 90-day period required by Federal Rule of Civil Procedure 4(m). The order permits plaintiff to respond by filing proofs of valid service or demonstrating good cause for the failure to serve, with a deadline of June 24, 2025.

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	June 10, 2025
DOCKET	5:25-cv-00545-FLA (SK)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause after determining that the plaintiff had not filed proofs of service for defendants Sarai Camacho and Rebecca Zamora within the applicable 90-day period and had not requested an extension supported by good cause.
PRECEDENTIAL VALUE	Unknown
PARTIES	Tarik Smith v. County of Riverside, Sarai Camacho, Rebecca Zamora

TOPICS

- service of process
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether plaintiff was required to show good cause or otherwise explain his failure to serve defendants Camacho and Zamora within 90 days under Federal Rule of Civil Procedure 4(m).
2. Whether failure to respond to the order to show cause could result in dismissal of the unserved defendants for lack of prosecution and failure to effect service.

HOLDINGS

1. Absent a showing of good cause, an action must be dismissed as to a named defendant when the summons and complaint are not served within 90 days after the complaint is filed.
2. The court may dismiss an action for lack of prosecution on its own motion pursuant to its inherent authority.

KEY QUOTATIONS

“Absent a showing of good cause, an action must be dismissed if the summons and complaint are not served on a named defendant within 90 days after the complaint is filed.” (1)

“Plaintiff is thus ORDERED TO SHOW CAUSE in writing on or before June 24, 2025 why this action should not be dismissed for lack of prosecution and failure to effectuate service of process.” (1)

FACTUAL BACKGROUND

Plaintiff filed this civil-rights action on February 28, 2025, and summonses were issued on March 25, 2025. The County of Riverside was the only defendant served as of the order. Plaintiff had not filed proofs of service for Sarai Camacho and Rebecca Zamora within the 90-day service period and had not sought an extension based on good cause.

PROCEDURAL HISTORY

Plaintiff filed the complaint on February 28, 2025, and the court issued summonses on March 25, 2025. The County of Riverside was served, but the record reflected no timely proofs of service for Camacho and Zamora. The court ordered plaintiff to show cause in writing by June 24, 2025 why the action should not be dismissed for lack of prosecution and failure to effect service.

DISPOSITION

other

CASES CITED

- Link v. Wabash R. Co., 370 U.S. 626, 629 (1962)