

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

Jevarien Zymell Dunlap v. San Francisco

Dunlap · No. 25-cv-08144-TSH · Decided January 7, 2026

OPINION

Dunlap

PER CURIAM.

1 2

3 UNITED STATES DISTRICT COURT

4 NORTHERN DISTRICT OF CALIFORNIA

5 6 JEVARIEN ZYMELL DUNLAP, Case No. 25-cv-08144-TSH 7 Plaintiff,

ORDER TO SHOW CAUSE

8 v.

9 SAN FRANCISCO,

10 Defendant. 11

12 Plaintiff Jevarien Zymell Dunlap filed this case on September 25, 2025. To date, no proof 13 of
service of the summons and complaint has been filed. 14 Proper service of process is a
prerequisite to the Court’s exercise of personal jurisdiction 15 over a defendant. Fed. R. Civ. P.
4(k). “‘A federal court is without personal jurisdiction over a 16 defendant unless the defendant
has been served in accordance with Federal Rule of Civil

17 Procedure 4.’” Crowley v. Bannister, 734 F.3d 967, 974–75 (9th Cir. 2013) (quoting Travelers
18 Cas. & Sur. Co. of Am. v. Brenneke, 551 F.3d 1132, 1135 (9th Cir. 2009)). “[N]othing in the 19
Federal Rules of Civil Procedure allows a judge to excuse service altogether. Actual notice to the
20 defendant is insufficient; the plaintiff must comply with the directives of Rule 4.” McMasters
v. 21 United States, 260 F.3d 814, 817–18 (7th Cir. 2001) (citation omitted). Pro se parties are not
22 excused from the service requirements of Rule 4. Brown v. Wachovia Bank, 244 F.R.D. 16, 19
23 (D.D.C. 2007) (citing Clariett v. Rice, 2005 WL 3211694, at *4 (D.D.C. Oct.18, 2005)). 24 “If
a defendant is not served within 90 days after the complaint is filed, the court – on 25 motion or
on its own after notice to the plaintiff – must dismiss the action without prejudice 26 against that
defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). 27
Accordingly, the Court ORDERS Plaintiff to show cause, in writing and no later than January 21,
1 4(m). Notice is hereby provided that failure to file a written response will be deemed an 2
admission that you do not intend to prosecute, and this case will likely be dismissed. Thus, it is 3
imperative the Court receive a written response by the deadline above. The January 15, 2026 case
4 || management conference is VACATED. 5 The Court encourages Plaintiff to seek assistance

from the Federal Pro Bono Project, a free service offered by the Justice & Diversity Center of the Bar Association of San Francisco. You may request an appointment by emailing fedpro@sfbar.org or calling 415-782-8982. At the Federal Pro Bono Project, you will be able to speak with an attorney who may be able to provide basic legal help but not representation. More information is available at 10

11 Plaintiff may also wish to obtain a copy of this District’s Handbook for Litigants Without a Lawyer, which provides instructions on how to proceed at every stage of your case. The handbook is available in person at the Clerk’s Office and online at: 14 <https://www.cand.uscourts.gov/pro-se-litigants/>. 15 IT IS SO ORDERED. 17 Dated: January 7, 2026

LAAN. LJj-7—

THOMAS S. HIXSON

19 United States Magistrate Judge 20 21 22 23 24 25 26 27 28