

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

David Lovell v. Maynard

No. 25-cv-05619-TSH (N.D. Cal. Nov. 6, 2025) · No. 25-cv-05619-TSH · Decided November 6, 2025

SUMMARY

The United States District Court for the Northern District of California orders Plaintiff David Lovell to show cause why his action against Maynard should not be dismissed for failure to prosecute and failure to comply with court deadlines. The order requires Plaintiff to file a declaration by November 20, 2025, warning that failure to respond will likely result in dismissal.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
DAVID LOVELL, Case No. 25-cv-05619-TSH 8 Plaintiff, ORDER TO SHOW CAUSE 9 v. 10
MAYNARD, 11 Defendant. 12 13 On July 11, 2025, the Court granted Plaintiff David Lovell's
application to proceed in 14 forma pauperis and directed the Clerk of Court to issue summons and
for the U.S. Marshal to 15 serve Defendant.

ECF No. 4. On August 21 the Marshal returned the summons unexecuted, 16 stating the Alameda
County Sheriff's Office advised that Deputy Maynard is no longer an 17 employee. ECF No. 10.
As such, the Court ordered Plaintiff to provide Defendant's address for 18 service by October 17,
2025. ECF No. 11.

After Plaintiff failed to respond, the Court extended the deadline to October 30, 2025, and warned
him that this case may be dismissed for failure to 19 prosecute if he failed to provide Defendant's
service address by October 30. ECF No. 12. 20 Plaintiff has still failed to respond. 21 The Court
possesses the inherent power to dismiss an action sua sponte "to achieve the 22 orderly and
expeditious disposition of cases." Link v. Wabash R.R.

Co., 370 U.S. 626, 629-33 23 (1962). Accordingly, the Court ORDERS Plaintiff David Lovell to
show cause why this case 24 should not be dismissed for failure to prosecute and failure to
comply with court deadlines. 25 Plaintiff shall file a declaration by November 20, 2025. Notice is
hereby provided that failure to 26 file a written response will be deemed an admission that you do
not intend to prosecute, and this 27 1 case will likely be dismissed.

Thus, it is imperative the Court receive a written response by 2 || November 20. 3 The Court again
encourages Plaintiff to seek assistance from the Federal Pro Bono Project, 4 || afree service offered

by the Justice & Diversity Center of the Bar Association of San Francisco. 5 || You may request an appointment by emailing fedpro@sfbar.org or calling 415-782-8982.

At the 6 || Federal Pro Bono Project, you will be able to speak with an attorney who may be able to provide 7 basic legal help but not representation. More information is available at 8 <https://www.cand.uscourts.gov/pro-se-litigants/>. 9 Plaintiff may also wish to obtain a copy of this District's Handbook for Litigants Without a 10 || Lawyer, which provides instructions on how to proceed at every stage of your case.

The 11 handbook is available in person at the Clerk's Office and online at: a 12 <https://www.cand.uscourts.gov/pro-se-litigants/>. 5 13 IT IS SO ORDERED. 15 Dated: November 6, 2025 16 AM. □ THOMAS S. HIXSON 17 United States Magistrate Judge 18 19 20 21 22 23 24 25 26 27 28