

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PERLINE THOMPSON, *et al.*,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No.: 3:18-CV-00147-RCJ-WGC

**ORDER OF DISMISSAL WITHOUT
PREJUDICE PURSUANT TO FRCP 4(m)**

The Court filed the Notice of Intention to Dismiss Pursuant to FRCP 4(m) (ECF No. 19) on August 16, 2018. Plaintiffs were ordered to provide the Court with proof of service as to the following parties: **UNITED STATES OF INDIAN AFFAIRS; WESTERN NEVADA AGENCY OF THE BUREAU OF INDIAN AFFAIRS; EASTERN NEVADA AGENCY SUPERINTENDENT PHOENIX AREA DIRECTOR; INTERTRIBAL COUNCIL OF NEVADA; DARL CRAWFORD; and GABRIELLA RUIZ** on or before September 15, 2018.

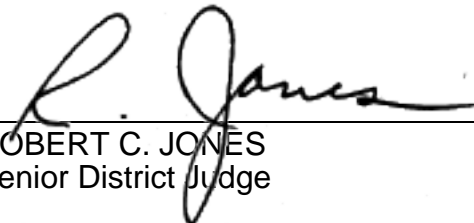
Before dismissing the action, the district court is required to weigh several factors: (1) the public’s interest in expeditious resolution of litigation; (2) the Court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (internal citations and quotations omitted). All five factors point in favor of dismissal.

1 Plaintiff has failed to show good cause why this action should not be dismissed
2 without prejudice for failure to file proof of proper service with this Court pursuant to
3 FRCP 4(m) and failure to comply with the Notice of Intention to Dismiss (ECF No. 19).
4

5 IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT**
6 **PREJUDICE** as to Defendants: **UNITED STATES OF INDIAN AFFAIRS; WESTERN**
7 **NEVADA AGENCY OF THE BUREAU OF INDIAN AFFAIRS; EASTERN NEVADA**
8 **AGENCY SUPERINTENDENT PHOENIX AREA DIRECTOR; INTERTRIBAL**
9 **COUNCIL OF NEVADA; DARL CRAWFORD; and GABRIELLA RUIZ** for Plaintiffs
10 failure to comply with the Court's Notice of Intention to Dismiss (ECF No. 19) pursuant
11 to FRCP 4(m).
12

13 IT IS SO ORDERED.

14 Dated this 25th day of September, 2018.
15

16
17 
18 _____
19 ROBERT C. JONES
20 Senior District Judge
21
22
23
24
25
26
27
28