

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES—GENERAL

Case No. CV 18-9071-MWF (GJSx)

Date: May 14, 2019

Title: Jesse Graham v. Taylor Swift, et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:
Rita Sanchez

Court Reporter:
Not Reported

Attorneys Present for Plaintiff:
None Present

Attorneys Present for Defendant:
None Present

Proceedings (In Chambers): ORDER DISMISSING ACTION WITH PREJUDICE

On April 17, 2019, the Court granted Defendant Taylor Swift’s Motion to Dismiss for Insufficient Service of Process and for Failure to State a Claim, filed on January 24, 2019. (*See* “April 17 Order” (Docket No. 36)). The Court gave Plaintiff one more opportunity to demonstrate proper service of the Summons and Complaint by filing a proof of such service by no later than May 3, 2019. (*Id.* at 4). The Court warned Plaintiff that failure to do so would result in dismissal of the action with prejudice. (*Id.*).

On May 3, 2019, Plaintiff filed a proof of service indicating that Plaintiff mailed the Summons and Complaint to Rose IP Law, PLLC, via U.S. first-class mail on April 19, 2019. (*See* Proof of Service (Docket No. 42)). On May 13, 2019, Defendant filed an objection to Plaintiff’s proof of service, arguing that Rose IP Law, PLLC is the designated Digital Millennium Copyright Act agent for Taylor Nation, LLC, not Defendant. (*See* Objections to Service of Summons and Complaint (Docket No. 45)). On May 7, 2019, Plaintiff also filed a proof of service that the Court determines is deficient on its face. (Docket No. 40).

In light of Plaintiff’s failure to comply with the Court’s April 17 Order, dismissal of the action is warranted. Plaintiff was warned to serve Defendant within the time required and that failure to do so would result in dismissal of the action with

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prejudice. Plaintiff has not shown good cause for his failure to properly serve Defendant. Accordingly, the action is **DISMISSED with prejudice**.

This Order shall constitute notice of entry of judgment pursuant to Federal Rule of Civil Procedure 58. Pursuant to Local Rule 58-6, the Court **ORDERS** the Clerk to treat this Order, and its entry on the docket, as an entry of judgment.

IT IS SO ORDERED.

The Court may not provide advice to any party, including persons who are not represented by a lawyer. (Such persons are known as “pro se litigants.”) However, this District does have a “Pro Se Clinic” that can provide information and assistance about many aspects of civil litigation in this Court. Public Counsel’s Federal Pro Se Clinic provides free legal assistance to people representing themselves in the United States District Court for the Central District of California. The Pro Se Clinic is located at the Roybal Federal Building and Courthouse, 255 East Temple Street, Los Angeles, California 90012.

The Los Angeles Clinic operates by appointment only. You may schedule an appointment either by calling the Clinic or by using an internet portal. You can call the clinic at (213) 385-2977, ext. 270, or you can submit an internet request at the following site: <http://prose.cacd.uscourts.gov/los-angeles>.

Clinic staff can respond to many questions with a telephonic appointment or through your email account. It may be more convenient to email your questions or schedule a telephonic appointment. Staff can also schedule you for an in-person appointment at their location in the Roybal Federal Building and Courthouse.

In addition, the Court has information of importance to pro se litigants at the “People Without Lawyers” link, <http://prose.cacd.uscourts.gov/>.

Pro se litigants may also apply to the Court for permission to electronically file. Form CV-005 is available at <http://www.cacd.uscourts.gov/court-procedures/forms>.

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The Court's website home page is <http://www.cacd.uscourts.gov>.