

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jose DeCastro,

Plaintiff

v.

John Doe Officers, et al.,

Defendants

Case No. 2:25-cv-02331-CDS-BNW

**Order Dismissing Case under
Federal Rule of Civil Procedure 4(m)**

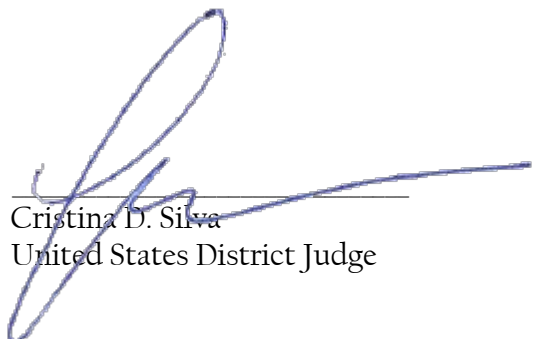
Plaintiff Jose DeCastro initiated this action on November 21, 2025. ECF No. 1. Under Federal Rule of Civil Procedure 4, DeCastro was required to serve the defendant within ninety days of filing the complaint, making the service deadline February 19, 2026. Fed. R. Civ. P. 4(m).

On February 19, 2026, the court notified DeCastro of its intent to dismiss under Rule 4(m) for failure to serve the defendants. ECF No. 4. That notice advised, “this action may be dismissed without prejudice as to [the defendants] unless proof of service is filed with the clerk by 03/21/2026.” *Id.* In response, DeCastro moved for an extension of time to effect service (ECF No. 6) and to conduct discovery to identify the doe defendants (ECF No. 7). The court granted the motions and extended the service deadline to June 23, 2026. ECF Nos. 8, 9. That deadline passed without proof of service.

On June 26, 2026, the court again notified DeCastro of its intent to dismiss under Rule 4(m) for failure to serve the defendants. ECF No. 10. That notice also advised that “this action may be dismissed without prejudice as to [the defendants] unless proof of service is filed with the clerk by 07/26/2026.” *Id.* “Failure to comply with this notice may result in dismissal of the action without prejudice” *Id.* That deadline passed without notice of service.

1 Because the plaintiff has not demonstrated that the doe defendants were identified and
2 served by June 23, 2026 (the time prescribed by U.S. Magistrate Judge Brenda Weksler), it is
3 ordered that DeCastro's claims are dismissed without prejudice. The clerk of court is kindly
4 instructed to close this case.

5 Dated: August 10, 2026

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8 Cristina D. Silva
9 United States District Judge
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