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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Rumi Salazar,

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No. CV-10-99-PHX-DGC

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Plaintiff,

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ORDER

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vs.

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Lehman Brothers Bank; Faslo Solutions;
Camelback Title; MERS; Aurora Loan
Services; and Quality Loan Service,

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Defendants.

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Plaintiff filed a complaint against Defendants on January 19, 2010. Dkt. #1. On February 4, 2010, Defendants Lehman Brothers Bank, Aurora Loan Services, and Quality Loan Service filed a motion to dismiss for lack of subject matter jurisdiction. Dkt. #5. Plaintiff has filed no response, and the time for doing so has expired. *See* LRCiv 12.1(b), 56.1(d); Fed. R. Civ. P. 6(d). Plaintiff shall have until **March 26, 2010** to file a response to the motion to dismiss (Dkt. #5).

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Plaintiff must become familiar with, and follow, the Federal Rules of Civil Procedure and the Rules of the United States District Court for the District of Arizona (“Local Rules”). *See King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1986) (“Pro se litigants must follow the same rules of procedure that govern other litigants.”); *Jacobsen v. Filler*, 790 F.2d 1362, 1364 (9th Cir. 1986) (pro se litigants “should not be treated more favorably than parties with attorneys of record”); *Carter v. Comm’r of Internal Revenue*, 784 F.2d 1006, 1008 (9th Cir. 1986) (“Although pro se, [plaintiff] is expected to abide by the rules of the court in which he

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1 litigates.”). The Federal Rules of Civil Procedure are available at the following Internet
2 website: <http://www.law.cornell.edu/rules/frcp/>. A copy of the Court’s Local Rules of Civil
3 Procedure may be obtained from the Clerk’s Office.

4 Rule 7.2 of the Local Rules of Civil Procedure provides that an unrepresented party’s
5 failure to respond to a motion “may be deemed a consent to the . . . granting of the motion
6 and the Court may dispose of the motion summarily.” LRCiv 7.2(i). Plaintiff is advised that
7 if he does not file a response to Defendants’ motion to dismiss (Dkt. #5) by **March 26, 2010**,
8 the Court will summarily grant the motion. Plaintiff is further advised that if he fails to
9 prosecute this action, or if he fails to comply with the rules or any Court order, the Court may
10 dismiss the action *with prejudice* pursuant to Rule 41(b) of the Federal Rule of Civil
11 Procedure. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir.1992); *Ghazali v. Moran*,
12 46 F.3d 52, 54 (9th Cir. 1995).

13 **IT IS ORDERED:**

- 14 1. Plaintiff shall have until **March 26, 2010** to file a response to Defendants’
15 motion to dismiss (Dkt. #5).
- 16 2. The Clerk is directed to mail a copy of this order and the motion to dismiss to
17 Plaintiff at the following addresses: (1) P.O. Box 11054, Scottsdale, Arizona,
18 85271; and (2) 18017 West Montebello Avenue, Litchfield Park, Arizona,
19 85340.
- 20 3. Plaintiff is warned that the Court will summarily grant the motion to dismiss
21 if Plaintiff fails to comply with this order.

22 DATED this 12th day of March, 2010.

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David G. Campbell
United States District Judge