



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
3470 Twelfth Street, Riverside, CA 92501
CIVIL MINUTES -- GENERAL

Case No. ED CV 08-01687-SGL(PLAx)

Date: November 24, 2008

Title: FEDERAL HOME LOAN MORTGAGE CORP., ET AL. -v- CLARENCE DIBBETS, ET AL.

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PRESENT: HONORABLE STEPHEN G. LARSON, UNITED STATES DISTRICT JUDGE

Jim Holmes
Courtroom Deputy Clerk

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None present

None present

PROCEEDINGS: ORDER TO SHOW CAUSE

The Court has received and reviewed defendant's November 20, 2008, notice of removal, seeking to remove to this Court an unlawful detainer action filed by plaintiff in Riverside County Superior Court (and which the Court also notes it appears a prejudgment writ of execution has been entered by the state court, giving authority to the local law enforcement officials to evict defendant from the premises by today, November 24, 2008, which if executed, would potentially render the complaint removed as well as much of the arguments raised in the removal moot). In the notice, defendant makes an unintelligible argument citing to a diverse sources of authorities (be it treaties, the Foreign Sovereign Immunities Act, or California's Sunshine Law) that such unlawful detainer actions somehow would be a violation of his rights as an independent Sovereign. Without any clear articulation on precisely how such a state law civil action in fact would result in such a violation of defendant's constitutional rights, there is no basis upon which the Court has jurisdiction to hear this matter.

Accordingly, given the substantial questions that exists as to whether this Court has jurisdiction to hear this matter, defendant is hereby **ORDERED TO SHOW CAUSE** within seven (7) days of the date of this Order why this case should not be remanded to state court. Defendant's failure to timely respond to the Order to Show Cause shall be considered by the Court as a failure to prosecute this matter and will result in the summary remand of the matter to state court.

IT IS SO ORDERED.

Judge Larson's E-Filing Memorandum Attachment

Counsel shall e-file all civil and criminal filings for Judge Larson pursuant to General Order 08-02, filed on March, 2008 (**superseding** General Order No. 07-08). Although the procedure is set forth in great detail in General Order 08-02, generally, the procedure consists of the following three steps:

- Step 1: All *non-signature* items shall be e-filed in **.pdf format**.
- Step 2: In addition to being e-filed, all proposed *signature* items shall be e-mailed to the chambers electronic mailbox in **Microsoft Word** or **WordPerfect format**. **WordPerfect format is preferred**. The chambers e-mail address is **sgl_chambers@cacd.uscourts.gov**
- Step 3: A paper copy of all e-filed documents shall be delivered to chambers no later than noon the day after e-filing. All copies delivered to chambers shall have the Notice of E-filing attached thereto. For ease of use, declarations, notices, appendices, and similar documents that have multiple exhibits attached thereto shall separate the exhibits with numbered or lettered tabs.

UNDER SEAL FILINGS

Documents to be filed under seal may not be e-filed and are subject to different procedures. To file documents under seal, the following steps must be taken:

- Step 1: Manually file an ex parte application to file the documents under seal and concurrently lodge an original and one copy of the documents to be filed under seal.
- Step 2: E-file a Notice of Manual Filing.
- Step 3: E-mail a .pdf copy of that ex parte application to the chambers e-mail address together with a WordPerfect or Microsoft Word version of the proposed order for the Court's consideration. WordPerfect format is preferred.

DO NOT OMIT ANY OF THE ABOVE STEPS.

For any additional questions, please refer to the General Order or call the Helpline @ 213-894-0242.

(Revision date January 16, 2008)