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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

MARSHA KILGORE,)	1:12cv0899 AWI SMS
)	
Plaintiff,)	
v.)	ORDER VACATING HEARING
)	DATE OF OCTOBER 15, 2012,
WELLS FARGO HOME MORTGAGE,)	AND TAKING MATTER
et al.,)	UNDER SUBMISSION
Defendants.)	

Defendants have noticed for hearing and decision a motion to dismiss. The matter was scheduled for hearing to be held on October 15, 2012. Pursuant to Local Rule 230(c), Plaintiff was required to file either an opposition or a notice of non-opposition no later than October 1, 2012. Plaintiff has filed no opposition.

Due to Plaintiff's failure to file an opposition or notice of non-opposition, Plaintiff is in violation of the Local Rules and is not entitled to be heard at oral argument in opposition to the motion. See Local Rule 230(c). The court has reviewed Defendants' motion and the applicable law, and has determined that the motion is suitable for decision without oral argument. See Local Rule 230(g).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of October 15, 2012, is VACATED, and no party shall appear at that time. As of October 15, 2012, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: October 11, 2012


CHIEF UNITED STATES DISTRICT JUDGE