

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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Plaintiffs,

v.

CHASE HOME FINANCE, LLC, a Limited Liability Company, THEBANK OF NEW YORK MELLON TRUST COMPANY, N.A. F/K/A THE BANK OF NEW YORK TRUST COMPANY, N.A., a business entity of unknown type, J.P. MORGAN CHASE BANK, a corporation and DOES 1 to 50

Defendants.

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26 Plaintiffs Bradley and Lisa Dehaven brought this action
27 on November 10, 2010, arising from defendants' allegedly wrongful
28 foreclosure on plaintiffs' home. Defendants have not yet

1 appeared in this action.

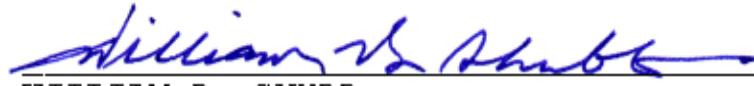
2 A Status (Pretrial Scheduling) Conference was scheduled
3 for April 18, 2011, and the parties were required to submit a
4 Joint Status Report by April 4, 2011. Plaintiffs never filed a
5 status report. The court's courtroom deputy attempted to contact
6 plaintiffs' counsel multiple times, and counsel stated on April
7 14, 2011, that he would "take care" of the matter. The court
8 continued the Status (Pretrial Scheduling) Conference to May 2,
9 2011, to give plaintiffs an opportunity to file a status report.
10 Plaintiffs did not file a status report, nor did counsel for
11 plaintiff appear at the hearing.

12 A plaintiff's failure to prosecute or to comply with a
13 court order constitutes grounds for dismissal of the action.
14 Fed. R. Civ. P. 41(b). The court does not wish to keep a case on
15 its docket, nor should it set discovery deadlines and a trial
16 date, when plaintiffs have no interest in prosecuting the action.
17 Accordingly, plaintiffs are ordered to show cause why the action
18 should not be dismissed for failure to prosecute.

19 IT IS THEREFORE ORDERED that within ten days of the
20 date of this Order, plaintiffs shall file a brief to show cause
21 why this action should not be dismissed for failure to prosecute.
22 In addition, plaintiffs shall file a status report as required by
23 the court's Status (Pretrial Scheduling) Conference Order (Docket
24 No. 5). The Status (Pretrial Scheduling) Conference is continued
25 to June 13, 2011, at 2:00 p.m. in Courtroom No. 5. Plaintiffs
26 are firmly cautioned that failure to comply with this Order will
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1 result in dismissal of the action with prejudice.

2 DATED: May 3, 2011

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4 WILLIAM B. SHUBB

5 UNITED STATES DISTRICT JUDGE

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