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

SHINGLE SPRINGS BAND OF MIWOK
INDIANS,

Plaintiff,

Case No. 2:12-cv-0548 JAM DAD PS

vs.

THE ASSOCIATION PURPORTEDLY
DOING BUSINESS AS THE SHINGLE
SPRINGS BAND OF MIWOK INDIANS,
et al.,

ORDER

Defendants.

_____/

Plaintiff, Shingle Springs Band of Miwok Indians, proceeding with counsel,
commenced this action on March 1, 2012, by filing a complaint and paying the required filing
fee. On April 23, 2012, plaintiff’s counsel filed an amended complaint. On April 30, 2012,
defendants Rebecca Collier, Richard Smith and Barbara Smith, proceeding pro se, each filed a
motion to dismiss. (Doc. Nos. 28-30.) Thereafter, on May 2, 2012, defendants Brandi Russell,
Ronaldeen Hayden, Jennifer Bassford and Virginia Clark, proceeding pro se, each filed a motion
to dismiss. (Doc. Nos. 32-35.)

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1 On May 7, 2012, plaintiff filed a notice reporting that each of the motions to
2 dismiss filed by the pro se defendants failed to comply with Local Rules 131(a) and 230(b),
3 having not been accompanied with a proper notice a motion and not being noticed for hearing,
4 along with other deficiencies. (Doc. No. 36.) On June 4, 2012, defendant Mary Ann Harper,
5 proceeding pro se, filed a similarly defective motion to dismiss. (Doc. No. 39.) Finally, on
6 February 21, 2013, the assigned District Judge issued a minute order referring this matter to the
7 undersigned pursuant to Local Rule 302(c)(21).

8 Each of the motions to dismiss filed by the above named defendants fails to
9 comply with the Local Rules and will be denied without prejudice. If any defendant wishes to
10 respond to plaintiff's complaint by filing another motion to dismiss, they are advised to first
11 consult and comply with the Local Rules, specifically Local Rule 230.

12 Accordingly, IT IS HEREBY ORDERED that defendants' motions to dismiss
13 (Doc. Nos. 28, 29, 30, 32, 33, 34, 35 and 39) are denied without prejudice. Defendants shall file
14 responsive pleadings within twenty-one days of the date of this order.

15 DATED: February 28, 2013.

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19 DALE A. DROZD
20 UNITED STATES MAGISTRATE JUDGE

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