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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY R. FLORES,
Plaintiff,
v.
WELLS FARGO BANK N.A., et al.,
Defendants.

No. 2:20-cv-01162-KJM-CKD PS

ORDER

Presently before the court is defendants’ motion to dismiss, filed on July 17, 2020. (ECF No. 4.) Defendants scheduled the present motion to be heard September 16, 2020, making plaintiff’s opposition due September 2, 2020, pursuant to Local Rule 230(c). That date has passed, and plaintiff has not filed an opposition or anything else with the court.

While the court is permitted it take plaintiff’s failure to respond as a waiver of any opposition to the granting of defendants’ motion pursuant to Local Rule 230(c), the undersigned would prefer to resolve this case on the legal merits, and therefore, on the court’s own motion, plaintiff is granted an extension to file an opposition to defendants’ motion within 21 days of this order.

Although plaintiff is granted an extension, plaintiff’s failure to file the required opposition shall constitute an additional ground for, and plaintiff’s consent to, the imposition of appropriate sanctions, including a potential recommendation that plaintiff’s case be involuntarily dismissed

1 with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

2 Accordingly, it is HEREBY ORDERED that plaintiff shall file an opposition to
3 defendants' motion to dismiss (ECF No. 4) within 21 days of this order. The hearing currently set
4 before the undersigned on September 16, 2020 is VACATED.

5 Dated: September 8, 2020



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7 CAROLYN K. DELANEY
8 UNITED STATES MAGISTRATE JUDGE

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