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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEPHEN LOHBECK,
Plaintiff,
v.
EXPERIAN INFORMATION
SOLUTIONS, INC.,
Defendant.

Case No. 2:22-cv-01550-KJM-JDP (PS)
FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PROSECUTE, FAILURE TO
COMPLY WITH COURT ORDERS, AND
FAILURE TO COMPLY WITH LOCAL
RULES
OBJECTIONS DUE WITHIN FOURTEEN
DAYS

Defendant filed a motion to dismiss, which was previously noticed for hearing on December 1, 2022. ECF No. 4. After plaintiff failed to timely respond to that motion, I ordered him to show cause why sanctions should not be imposed for his failure to comply with the court’s local rules. ECF No. 22. I also continued the hearing on defendant’s motion and ordered plaintiff to file, by no later than December 15, 2022, either an opposition or statement of non-opposition to that motion. *Id.* I warned him that failure to comply with that order could result in a recommendation that this action be dismissed. *Id.*

The deadline has passed, and plaintiff has not filed an opposition or statement of non-opposition nor otherwise responded to the November 28, 2022 order to show cause. Accordingly, it is hereby ORDERED that the January 5, 2023 hearing on defendant’s motion to dismiss is vacated.

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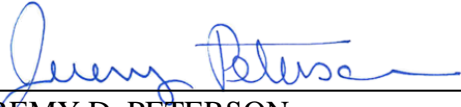
Further, it is RECOMMENDED that:

1. This action be dismissed for failure to prosecute, failure to comply with court orders, and failure to comply with the court’s local rules.
2. Defendant’s motion to dismiss, ECF No. 4, be denied as moot.
3. The Clerk of Court be directed to close the case.

I submit these findings and recommendations to the district judge under 28 U.S.C. § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District Court, Eastern District of California. The parties may, within 14 days of the service of the findings and recommendations, file written objections to the findings and recommendations with the court. Such objections should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The district judge will review the findings and recommendations under 28 U.S.C. § 636(b)(1)(C).

IT IS SO ORDERED.

Dated: December 28, 2022



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE