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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COURTNEY SMITH JR.,
Plaintiff,
v.
NATHAN P. BAKER, et al.,
Defendants.

No. 2:24-cv-01029 DJC AC (PS)

ORDER

On May 17, 2024, defendant Nathan P. Baker filed a motion to dismiss set to be heard on July 10, 2024. ECF No. 4. On May 20, 2024, defendant Capital One Auto Finance filed a motion to dismiss, also set to be heard July 10, 2024. ECF No. 6. Pursuant to Local Rule 230(c), plaintiff was required to file an opposition or notice of non-opposition within 14 days of the motion being filed. In this case, the relevant deadlines were May 31, 2024 and June 3, 2024. Plaintiff did not file an opposition or statement of non-opposition to either motion to dismiss.

Good cause appearing, IT IS HEREBY ORDERED that the hearing date of July 10, 2024 VACATED with respect to each motion, to be re-set as necessary. Plaintiff shall show cause, in writing, within 14 days, why the failure to respond to the pending motion should not result in a recommendation that this case be dismissed for failure to prosecute. The filing of an opposition or statement of non-opposition in response to each motion within this timeframe will serve as

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1 cause and will discharge this order. If plaintiff fails to respond, the court will recommend
2 dismissal of this case for failure to prosecute pursuant to Local Rule 110.

3 IT IS SO ORDRED.

4 DATED: June 5, 2024

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE

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