

United States District Court
For the Northern District of California

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

CLOMMER HAWKINS,
Plaintiff,

No. C-06-2183 MEJ

ORDER DISMISSING CASE

vs.

ALAMEDA-CONTRA COSTA TRANSIT
DISTRICT and Does 1-10, inclusive,
Defendants.

On November 3, 2008, the Court ordered the parties to appear for a status conference on December 11, 2008, and to file a joint status statement by December 4, 2008. (Dkt. #36.) However, on December 4, Defendant filed a separate statement, which details its unsuccessful attempts to submit a joint statement, despite repeated efforts to meet and confer with Plaintiff. As Plaintiff's failure to comply with the November 3 Order is part of a pattern in which she has failed to prosecute her case, (*see, e.g.*, Dkt. ## 10, 12, 17), the Court vacated the December 11 status conference and ordered Plaintiff to show cause why this case should not be dismissed for failure to prosecute and comply with this Court's orders. (Dkt. #38.) The Court ordered Plaintiff to file a declaration by December 17, 2008, and scheduled an order to show cause hearing on January 8, 2009. (Dkt. #38.)

Plaintiff failed to file a declaration by the December 17 deadline, and has not filed any other documents in this case since May 18, 2007. Further, Plaintiff failed to appear at the January 8, 2009

1 Order to Show Cause Hearing. Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), the
2 above-titled action is hereby DISMISSED WITH PREJUDICE.

3 **IT IS SO ORDERED.**

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5 Dated: January 8, 2009


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7 MARIA-LOUISA JAMES
8 United States Magistrate Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 CLOMMER HAWKINS,

5 Plaintiff,

6 v.

7 ALAMEDA CONTRA COSTA TRANSIT
8 DISTRICT et al,

9 Defendant.

Case Number: CV06-02183 MEJ

CERTIFICATE OF SERVICE

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
11 Court, Northern District of California.

12 That on January 8, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
15 in the Clerk's office.

16 Clommer Hawkins
17 P.O. Box 1946
18 Oakland, CA 94604

19 Dated: January 8, 2009

20 Richard W. Wieking, Clerk
21 By: Brenda Tolbert, Deputy Clerk