

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

TIERA MANNING,
Plaintiff,

No. C-10-2209 MMC

ORDER OF DISMISSAL

v.

AIS SERVICES,
Defendant.

_____ /

On September 7, 2010, the Court issued an Order to Show Cause (“OSC”), directing plaintiff Tiera Manning to show cause, in writing and no later than September 21, 2010, why the above-titled action should not be dismissed in light of plaintiff’s failure to appear as ordered at the Case Management Conference scheduled for September 3, 2010. Plaintiff did not respond to the OSC, but, instead, on September 17, 2010, filed a motion for entry of default judgment. On September 24, 2010, the Court denied the motion for entry of default judgment as premature and found such motion to be an insufficient response to the OSC. Nonetheless, the Court extended plaintiff’s time to respond to the OSC until October 7, 2010.

Thereafter, the Court was notified by the Clerk of the Court that service of the above orders was not accomplished at plaintiff’s address of record as the mailings were returned by the United States Postal Service as undeliverable; although plaintiff had used a different address in her September 17, 2010 motion, she had not filed, and, to date, has not filed, a

1 Notice of Change of Address, in contravention of the Civil Local Rules of this District. See
2 Civil L. R. 3-11 (providing party “must promptly file with the Court and serve upon all
3 opposing parties a Notice of Change of Address specifying the new address”).

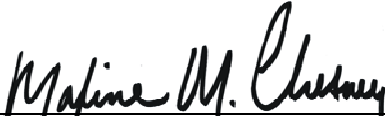
4 By order filed November 15, 2010, the Court directed the Clerk to serve plaintiff with
5 copies of the above-referenced orders at the address listed in plaintiff’s September 17,
6 2010 motion, and extended plaintiff’s time to respond to the OSC until December 3, 2010.¹

7 To date, plaintiff has not filed a response to the Court’s Order to Show Cause, nor
8 has plaintiff filed any other document subsequent to the issuance of said order.

9 Accordingly, the above-titled action is hereby DISMISSED for failure to prosecute.

10 **IT IS SO ORDERED.**

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12 Dated: December 8, 2007



MAXINE M. CHESNEY
United States District Judge

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27 ¹ Additionally, despite plaintiff’s failure to comply with Civil Local Rule 3-11, the
28 Court directed the Clerk to substitute as plaintiff’s address of record the address listed in
plaintiff’s September 17, 2010 motion.