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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PEDRO BRAMBILA,

No. C 10-03038 RS

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION REGARDING  
DISMISSAL OF ACTION FOR  
FAILURE TO PROSECUTE**

BAC HOME LOANS SERVICING, et al.,

Defendants.

Pro se plaintiff Pedro Brambila filed suit in Contra Costa Superior Court alleging multiple claims related to the foreclosure of his home. Defendants BAC Home Loans Servicing and Recontrust Company, N.A. removed the case to federal court, filed a motion to dismiss, and noticed the hearing for September 23, 2010. Plaintiff failed to file any opposition or statement of nonopposition to defendants' motion by September 2, 2010, as required by Civil Local Rule 7-3. Furthermore, Judge James ordered the parties to file consent or declination to her jurisdiction by September 2, 2010 and plaintiff has not responded to this order. On September 9, 2010, Judge James vacated the hearing date on the motion to dismiss and issued an order to show cause why the case should not be dismissed for failure to prosecute and to comply with court deadlines. Plaintiff was ordered to file a declaration by September 30, 2010 and a hearing on the order to show cause was set for October 7, 2010. Plaintiff failed to file a declaration and did not appear at the hearing.

Thereupon, Judge James issued a Report and Recommendation that the case be dismissed for

1 failure to prosecute and failure to comply with court orders and court deadlines. No party filed an  
2 objection to her recommendation within the fourteen days provided by Federal Rule of Civil  
3 Procedure 72. As plaintiff has not filed his consent to magistrate jurisdiction, the case was  
4 reassigned to the undersigned on October 12, 2010. Having reviewed the Report and  
5 Recommendation of Judge James, the Court adopts it in full and dismisses the case.

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7 IT IS SO ORDERED.

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9 Dated: 11/22/2010



10 RICHARD SEEBORG  
11 UNITED STATES DISTRICT JUDGE  
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**THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:**

**Pedro Brambila**  
2080 Roper Circle  
Brentwood, CA 94513

DATED: 11/22/2010

/s/ Chambers Staff  
Chambers of Judge Richard Seeborg