

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

ADLER DARWIN CANO
VILLATORO,

Petitioner,

v.

JANET NAPOLITANO, et al.,

Respondents.

NO. C10-5875 TEH

ORDER TO SHOW CAUSE

United States District Court
For the Northern District of California

Petitioner’s motion for temporary stay and stay of execution of removal order is currently pending before this Court. Petitioner filed this motion on December 23, 2010. On December 27, 2010, the Court’s deputy clerk left a message with Petitioner’s counsel’s office explaining that the Court was unavailable and the procedure for having this matter heard before a judge on duty. On January 3, 2010, the Court’s deputy clerk left another message with Petitioner’s counsel’s office asking whether the motion was moot. That message has yet to be returned.¹

Accordingly, with good cause appearing, IT IS HEREBY ORDERED that Petitioner shall show cause as to why sanctions should not be imposed, including possible dismissal of this case for failure to prosecute. Petitioner shall respond to this order in person on Monday, January 10, 2011, at 10 a.m. in Courtroom 2.

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¹ The Court’s clerk also left a voice-mail message with Respondents’ counsel on January 3, 2010. It, too, has yet to be returned.

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If Petitioner fails to respond to this order, then this case shall be dismissed with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: 1/5/11



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT