United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RODOLFO VELASQUEZ,

Plaintiff,

v.

PATRICK R. DONAHUE, et al.,

Defendants.
_____/

No. C 11-03444 JSW

ORDER TO SHOW CAUSE

This matter is set for a hearing on November 4, 2011 on the motion to dismiss filed by defendant Patrick R. Donahoe, Maria Culloty and United States Postal Service ("Defendants"). Pursuant to Local Civil Rule of the Northern District 7-3, an opposition or statement of non-opposition to this motion was due to be filed and served by August 8, 2011. To date, Plaintiff have not filed an opposition or statement of non-opposition.

Plaintiff is HEREBY ORDERED TO SHOW CAUSE ("OSC") in writing, by **September 9, 2011**, why the pending motion to dismiss should not be granted in light of his failure to file a timely opposition or statement of non-opposition. If Plaintiff seeks to file a substantive response to Defendants' motion, Plaintiff must demonstrate good cause for failing to file his opposition brief in a timely fashion. In his response to this OSC, Plaintiff is also directed to show cause why this case should not be dismissed for failure to prosecute. Plaintiff is admonished that his failure to respond this Order by **September 9, 2011**, will result in a dismissal of this action.

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If Plaintiff seeks to file a substantive response to Defendants' motion and demonstrates good cause for his delay, the Court will provide Defendants an opportunity to file a reply brief. The Court FURTHER ORDERS that the case management conference is HEREBY VACATED and will be reset if necessary.

IT IS SO ORDERED.

Dated: August 29, 2011

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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FOR THE

NORTHERN DISTRICT OF CALIFORNIA

RODOLFO VELASQUEZ,

Plaintiff,

v.

PATRICK R. DONAHUE et al,

Defendant.

_____/

Case Number: CV11-03444 JSW

CERTIFICATE OF SERVICE

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

That on August 29, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Rodolfo Velasquez
58 Lobos Street
San Francisco, CA 94112

Dated: August 29, 2011

Jennifer Ottolini

Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

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