

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

THELMA JOHNSON-SLAUGHTER,

Plaintiff,

v.

GREGORY J. AHERN, *et al.*,

Defendants.

No. C 12-2383 SI

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE AND  
VACATING SEPTEMBER 7, 2012  
HEARING DATE**

Defendant Ahern has filed a motion to dismiss, and a hearing on that motion is scheduled for September 7, 2012. Plaintiff's opposition to the motion was due on August 10, 2012. Plaintiff did not file an opposition, nor did plaintiff request an extension of time.

**Accordingly, plaintiff is ORDERED TO SHOW CAUSE in writing no later than August 30, 2012, why this case should not be dismissed without prejudice for failure to prosecute.** *See* Fed. R. Civ. Proc. 41(b). If plaintiff does not respond, this action will be dismissed without prejudice. If plaintiff responds to this Order and wishes to proceed with this lawsuit, the Court will set a new briefing schedule and hearing date on defendant's motion to dismiss. The September 7, 2012 hearing date is VACATED.

**IT IS SO ORDERED.**

Dated: August 20, 2012



\_\_\_\_\_  
SUSAN ILLSTON  
United States District Judge