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

DAVID A. THOMAS,

Plaintiff,

No. C 12-02458 JSW

v.

WELLS FARGO BANK, N.A., et al.,

**ORDER TO SHOW CAUSE**

Defendants.

\_\_\_\_\_ /

This matter is set for a hearing on August 31, 2012 on the motion to dismiss filed by 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 July 11, 2012. To date, Plaintiff has not filed an opposition or statement of non-opposition.

Plaintiff is **HEREBY ORDERED TO SHOW CAUSE** (“OSC”) in writing, by **August 8, 2012**, 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 **August 8, 2012**, will result in a dismissal of this action.

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.

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If Plaintiff fails to file a response to this Order to Show Cause by **August 8, 2012**, the Court shall dismiss this case without prejudice without further notice to Plaintiff. The Court advises Plaintiff that the Handbook for Pro Se Litigants, contains helpful information about proceeding without an attorney, is available through the Court's website or in the Clerk's office. The Court also advises Plaintiff that he also may wish to seek assistance from the Legal Help Center. Plaintiff may call the Legal Help Center at 415-782-9000, extension 8657, or sign up on the 15th Floor of the Courthouse, Room 2796, for a free appointment with an attorney who may be able to provide basic legal help, but not legal representation.

**IT IS SO ORDERED.**

Dated: August 1, 2012

  
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JEFFREYS WHITE  
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 DAVID A THOMAS,  
6 Plaintiff,  
7

Case Number: CV12-02458 JSW  
**CERTIFICATE OF SERVICE**

8 v.


9 WELLS FARGO BANK NA et al,  
10 Defendant.  
\_\_\_\_\_ /

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

13 That on August 1, 2012, I SERVED a true and correct copy(ies) of the attached, by placing  
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
16 delivery receptacle located in the Clerk's office.

17 David A. Thomas  
18 19500 Mount Jasper Drive  
19 Castro Valley, CA 94552

20 Dated: August 1, 2012

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