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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 IRMA T. CRUZ,

Case No.: 12-cv-4542 JSC

11 Plaintiff,

**DISMISSAL ORDER**

12 v.

13 CENTRAL MORTGAGE COMPANY, d.b.a.  
14 CENTRAL MORTGAGE LOAN  
15 SERVICING COMPANY, and OLD  
16 REPUBLIC DEFAULT MANAGEMENT  
SERVICES,

17 Defendants.  
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19 Plaintiff Irma Cruz proceeding pro se filed this civil action challenging the foreclosure of  
20 certain real property at 17808 Vierra Avenue Cerritos, California.<sup>1</sup>

21 Shortly after filing the action, on October 4, 2012, Plaintiff filed a Chapter 7 Bankruptcy  
22 Petition with the Central District of California Bankruptcy Court. *See* Case No. 2:12-bk-43633-RK  
23 (C.D. Cal. Bankr.). Defendant Central Mortgage Company noted the existence of the Chapter 7  
24 proceeding in the Motion to Dismiss filed October 18, 2012. (Dkt. No. 10.) On October 25, 2012, the  
25 Court issued an Order to Show Cause as to why this action was not subject to the automatic stay  
26 provisions of 11 U.S.C. § 362(a) in light of Plaintiff's Chapter 7 Bankruptcy Petition. (Dkt. No. 13)

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28 <sup>1</sup> Pursuant to 28 U.S.C. § 636(c), the parties have consented to the jurisdiction of a United States  
magistrate judge. (Dkt. Nos. 5, 9 & 19.)

1 Plaintiff did not response to the Court's order; however, Plaintiff's Chapter 7 action was dismissed on  
2 October 29, 2012 for failure to file the requisite documents. On November 14, 2012, the Court  
3 vacated the Order to Show Cause and ordered Plaintiff to file an opposition to Defendants' Motion to  
4 Dismiss on or before November 28, 2012. (Dkt. No. 17.) The Court's order warned that failure to  
5 comply could result in the automatic dismissal of this action for failure to prosecute. To date,  
6 Plaintiff has not responded to the Court's order or otherwise communicated with the Court.

7 Accordingly, this action is dismissed for failure to comply with the Court's orders and failure  
8 to prosecute. *See* Fed. R. Civ. P. 41(b).

9 **IT IS SO ORDERED.**

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11 Dated: December 3, 2012

  
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JACQUELINE SCOTT CORLEY  
UNITED STATES MAGISTRATE JUDGE