

## United States District Court

For the Northern District of California

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## 6 IN THE UNITED STATES DISTRICT COURT

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## FOR THE NORTHERN DISTRICT OF CALIFORNIA

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MARCO J. AZUCENA,

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Plaintiff,

No. C 12-06033 JSW

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v.

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13LATINO COMMISSION ON ALCOHOL  
AND DRUG ABUSE OF ALAMEDA  
COUNTY,**ORDER TO SHOW CAUSE**

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Defendant.

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This matter is set for a hearing on August 9, 2013 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 June 3, 2013. To

date, Plaintiff has not filed an opposition or statement of non-opposition. On June 5, 2013,

Defendants filed a notice of non-receipt of an opposition.

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Plaintiff is HEREBY ORDERED TO SHOW CAUSE (“OSC”) in writing, by **June 17,**

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**2013**, why the pending motion to dismiss should not be granted in light of his failure to file a

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timely opposition or statement of non-opposition. If Plaintiff seeks to file a substantive

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response to Defendants’ motion, Plaintiff must demonstrate good cause for failing to file his

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opposition brief in a timely fashion. In his response to this OSC, Plaintiff is also directed to

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show cause why this case should not be dismissed for failure to prosecute. Plaintiff is

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admonished that his failure to respond this Order by **June 17, 2013**, will result in a dismissal of

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this action.

1           If Plaintiff fileS a substantive response to Defendants' motion and demonstrates good  
2 cause for his delay, the Court will provide Defendants an opportunity to file a reply brief by no  
3 later than July 1, 2013.

4           If Plaintiff fails to file a response to this Order to Show Cause by **June 17, 2013**, the  
5 Court shall dismiss this case without prejudice without further notice to Plaintiff. The Court  
6 advises Plaintiff that the Handbook for Pro Se Litigants, contains helpful information about  
7 proceeding without an attorney, is available through the Court's website or in the Clerk's office.  
8 The Court also advises Plaintiff that he also may wish to seek assistance from the Legal Help  
9 Center. Plaintiff may call the Legal Help Center at 415-782-9000, extension 8657, or sign up  
10 on the 15th Floor of the Courthouse, Room 2796, for a free appointment with an attorney who  
11 may be able to provide basic legal help, but not legal representation.

12           **IT IS SO ORDERED.**

13           Dated: June 6, 2013

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

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10 MARCO J AZUCENA,

Case Number: CV12-06033 JSW

11 Plaintiff,

**CERTIFICATE OF SERVICE**

12 v.

13 LATINO COMMISSION ON ALCOHOL  
AND DRUG ABUSE OF ALAMEDA  
14 COUNTY et al,

15 Defendant.

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

18 That on June 7, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said  
19 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  
20 delivery receptacle located in the Clerk's office.

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22 Marco J. Azucena  
9616 D Street  
23 Oakland, CA 94603

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25 Dated: June 7, 2013

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

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