

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

DIANE DARRIMON AND JOSH
DARRIMON,

No. C 16-00808 WHA

Plaintiffs,

**SECOND ORDER TO SHOW
CAUSE**

v.

JEFF SMITH,

Defendant.

Pro se defendant Jeff Smith removed this unlawful detainer action, originally filed in Lake County Superior Court, to federal court. Plaintiffs Diane and Josh Darrimon, who are represented by counsel, promptly filed a motion to remand, asserting that this unlawful detainer action did not raise any federal question and that the parties are not diverse. Defendant's response to the remand motion was due on March 22, but nothing has been received. An order to show cause then issued, requesting that defendant, by April 11, file an opposition to the remand motion and state, in writing, why he failed to file a timely opposition (Dkt. No. 18). The OSC warned that failure to respond would result in the case being remanded to Lake County Superior Court.


The due date has passed and no response to the OSC has been received. By **NOON ON APRIL 29, 2016**, defendant is hereby ordered to show cause, in writing, why he failed to file a timely opposition and why he failed to respond to the first OSC. By the same date, defendant

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

must also file either an opposition to the motion to remand or a statement of non-opposition. Failure to respond, or to show sufficient cause as to why plaintiff did not file a timely opposition, will result in the case being remanded to Lake County Superior Court. The hearing set for April 21, 2016, is **VACATED**.

IT IS SO ORDERED.

Dated: April 14, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE