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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LYMAN SIDNEY SHREEVE, JR.,

Plaintiff(s),

v.

CAPITAL ONE N.A. *et al.*,

Defendant(s).

Case No.: 12-CV-02293 YGR

ORDER OF DISMISSAL FOR FAILURE TO  
PROSECUTE

On June 5, 2012, Defendant filed a Motion to Dismiss. Dkt. No. 13. Plaintiff's opposition was due on June 22, 2012. *See* Civ. L.R. 7-3(a). After Plaintiff failed to file an opposition, on July 11, 2012, the Court ordered Plaintiff to file an opposition to the Motion to Dismiss by no later than July 25, 2012, or face dismissal of the action for failure to prosecute. Dkt. No. 17. Plaintiff again failed to respond.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

This Order Terminates Docket Number 13.

**IT IS SO ORDERED.**

Dated: August 8, 2012

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

United States District Court  
Northern District of California