

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

5 RODOLFO AND ROBERTA E. THOMAS,

6 Plaintiff(s),

No. C 12-4290 PJH

7 v.

**ORDER GRANTING MOTION TO
DISMISS**

8 CHEVY CHASE BANK F.S.B.,

9 Defendant(s).
10 _____/

11 Before the court is defendant Chevy Chase Bank's motion to dismiss plaintiffs
12 Rodolfo and Roberta E. Thomas's complaint as "incomprehensible, nonsensical, and
13 incoherent." Plaintiffs did not file an opposition to defendant's motion to dismiss. Because
14 there is no discernable legal basis for plaintiffs' complaint, the court hereby GRANTS
15 defendant's motion and dismisses the complaint.

16 Although the court is of the opinion that re-pleading will not resolve the deficiencies
17 in the complaint, the court will nonetheless allow plaintiffs an opportunity to file an amended
18 complaint. For that amended complaint to be successful, plaintiffs must specify the number
19 of defendants being sued and identify each defendant by official name; must allege
20 separate causes of action; must state a constitutional or statutory basis for each cause of
21 action; and must allege facts showing each defendant's personal involvement in the
22 wrongful act alleged in each cause of action. If plaintiffs fail to file the amended complaint
23 by January 23, 2013, or if they file an amended complaint not in accordance with the above
24 instructions, the case will be dismissed with prejudice.

25 **IT IS SO ORDERED.**

26 Dated: January 2, 2013



27 PHYLLIS J. HAMILTON
28 United States District Judge