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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TYRONE M. CHRISTIAN,
Plaintiff(s),
v.
HOMEWARD RESIDENTIAL, INC.,
Defendant(s).

Case No.: 13-CV-00065 YGR

**ORDER REGARDING PLAINTIFF'S FAILURE TO
FILE AN OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS**

On January 14, 2013, Defendant filed a Motion to Dismiss. (Dkt. No. 7). The hearing on the motion is set for April 9, 2013. Plaintiff's opposition was due on or about January 31, 2013. Civ. L.R. 7-3(a); *see also*, Dkt. No. 13 (Notice of Non-Opposition).

To date, Plaintiff has failed to oppose the Motion. Plaintiff shall file an opposition to the Motion to Dismiss no later than **April 26, 2013**. Failure to file an opposition by that date will result in dismissal of the action for failure to prosecute. Any reply to an opposition must be served and filed not more than 7 days after the opposition is filed. Civ. L.R. 7-3(c).

The hearing date of April 9, 2013 is hereby **CONTINUED** to **May 14, 2013 at 2:00 p.m.**

The Motion to Appear by Telephone at the April 9, 2013 (Dkt. No. 17) is **DENIED AS MOOT**.

IT IS SO ORDERED.

Dated: April 4, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE