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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICARDO ZEPEDA,
Plaintiff,
v.
WALTER N. SCHULD, et al.,
Defendants.

Case No. [4:13-cv-05761-KAW](#)

**ORDER TO SHOW CAUSE TO
PLAINTIFF RICARDO ZEPEDA**

Re: Dkt. Nos. 69, 70

Plaintiff Ricardo Zepeda, proceeding pro se, filed this lawsuit alleging civil rights violations in connection with various contacts with law enforcement agencies and personnel, including the San Pablo Police Department, the Richmond Police Department, and the Contra Costa County Sheriff’s Department. On February 14, 2017, Plaintiff filed a second amended complaint.

On February 27, 2017, Defendants Richmond Police Department and Richmond Chief of Police Chris Magnus filed a motion to dismiss the second amended complaint. (Dkt. No. 69.) On February 28, 2017, San Pablo Police Department Chief Walter N. Schuld and Officer Brian Bubar also filed a motion to dismiss the second amended complaint. (Dkt. No. 70.) Pursuant to Civil Local Rule 7-3, Plaintiff’s oppositions were due on March 14 and 15, 2017, respectively. To date, Plaintiff has not filed either opposition.

Accordingly, by no later than **April 17, 2017**, the Court orders Plaintiff to (1) file a response to this order to show cause and explain why his case should not be dismissed for failure to prosecute, and (2) file separate oppositions to the motion to dismiss. The response to this order to show cause and the opposition should be filed as separate documents. To aid in his compliance with this order, Plaintiff may wish to contact the Federal Pro Bono Project’s Help Desk—a free

1 service for pro se litigants— by calling (415) 782-8982 to make an appointment to obtain legal
2 assistance from a licensed attorney.

3 Failure to timely respond to this order to show cause may result in the dismissal of this
4 action for failure to prosecute. *See* Judge Westmore’s General Standing Order ¶ 22 (“The failure
5 of the opposing party to file a memorandum of points and authorities in opposition to any motion
6 shall constitute consent to the granting of the motion”).

7 Should Plaintiff timely file one or both oppositions, Defendants are permitted to file their
8 replies on or before April 24, 2017.

9 Additionally, the April 20, 2017 hearing on the motion to dismiss is continued to **May 4,**
10 **2017** at U.S. District Court, 1301 Clay Street, Oakland, California at 11:00 a.m. in Courtroom 4.

11 IT IS SO ORDERED.

12 Dated: April 3, 2017

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14 KANDIS A. WESTMORE
15 United States Magistrate Judge
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