

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](#)

**SECOND ORDER TO SHOW CAUSE
TO PLAINTIFF RICARDO ZEPEDA;
ORDER CONTINUING HEARING
DATE ON MOTIONS TO DISMISS**

Re: Dkt. Nos. 88, 89

United States District Court
Northern District of California

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 July 17, 2017, Plaintiff filed a third amended complaint.

On July 27, 2017, San Pablo Police Department Chief Walter N. Schuld filed a motion to dismiss the third amended complaint. (Dkt. No. 88.) On July 28, 2017, the Richmond Defendants also filed a motion to dismiss the third amended complaint. (Dkt. No. 89.) Pursuant to Civil Local Rule 7-3, Plaintiff's oppositions were both due on August 14, 2017. To date, Plaintiff has not filed either opposition.

Accordingly, by no later than **September 8, 2017**, the Court orders Plaintiff (1) to file a response to this second order to show cause and explain why his case should not be dismissed for failure to prosecute, and (2) to file separate oppositions to the motions to dismiss. The response to this order to show cause and the oppositions 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 service for pro se litigants—by calling (415) 782-8982 to make an appointment to obtain legal assistance from a licensed attorney.

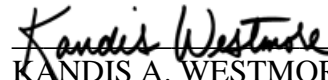
1 Failure to timely respond to this second order to show cause will result in the dismissal of
2 this action with prejudice as to all defendants. *See* Judge Westmore’s General Standing Order ¶ 22
3 (“The failure of the opposing party to file a memorandum of points and authorities in opposition to
4 any motion shall constitute consent to the granting of the motion”).

5 Should Plaintiff timely file one or both oppositions, Defendants are permitted to file their
6 replies on or before September 15, 2017.

7 Additionally, the September 7, 2017 hearing on the motion to dismiss is continued to
8 **October 5, 2017** at U.S. District Court, 1301 Clay Street, Oakland, California at 11:00 a.m. in a
9 courtroom to be determined.

10 IT IS SO ORDERED.

11 Dated: August 24, 2017

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KANDIS A. WESTMORE
13 United States Magistrate Judge
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