

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JESUS CORTEZ, ET AL.,**  
Plaintiffs,  
v.  
**COUNTY OF ALAMEDA, ET AL.,**  
Defendants.

Case No. 14-cv-04035-YGR

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

Re: Dkt. No. 8

On September 29, 2014, Defendant County of Alameda filed a motion to dismiss this lawsuit. (Dkt. No. 8.) The hearing on the motion was originally scheduled for November 4, 2014, at 2:00 p.m.

Under this Court's Civil Local Rule 7-3(a), plaintiffs were required to file either a brief opposing the motion to dismiss their lawsuit, or a notice that they do not oppose dismissal. Plaintiffs' papers were due on October 16, 2014. Civ. L.R. 7-3(a). As of the date of this Order, plaintiffs have filed neither an opposition brief nor a notice of non-opposition. As a result, the Court is considering dismissing plaintiffs' lawsuit for failure to prosecute.

The Court hereby extends plaintiffs' time to file their papers. **Plaintiffs shall file an opposition to the Motion to Dismiss (or a statement of non-opposition) by no later than October 28, 2014. Failure to file an opposition by that date will result in dismissal of this lawsuit for failure to prosecute.** Any reply to an opposition must be served and filed not more than 7 days after the opposition is served and filed (or 10 days in the event that the opposition is not filed and served through the ECF system). Civ. L.R. 7-3(c).

The Court **CONTINUES** the hearing on the pending motion to dismiss to **2:00 p.m.** on **November 18, 2014**, in Courtroom 1 at the Federal Courthouse, 1301 Clay Street, Oakland, CA.

**IT IS SO ORDERED.**

Dated: October 21, 2014

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT

United States District Court  
Northern District of California