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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LEON PATTEN,  
Plaintiff,

v.

LELAND W. HANCOCK, et al.,  
Defendants.

Case No. [15-cv-04022-JSW](#)

**ORDER TO SHOW CAUSE AND  
VACATING HEARING DATE**

Re: Docket Nos. 14, 16, 23

On October 23, 2015, Defendants Leland W. Hancock and Beverly J. Hancock filed a motion to dismiss for lack of subject matter jurisdiction, which was scheduled to be heard on December 11, 2015. (Docket No. 14.) On November 20, 2015, Defendants filed a “Corrected Motion to Dismiss,” and on November 23, 2015, filed a second “Corrected Motion to Dismiss,” for which they maintained the hearing date of December 11, 2015. For the reasons set forth in this Order, the Court HEREBY VACATES that hearing date pending a ruling on the orders to show cause set forth in the following paragraphs.

1. Defendants have not included any explanation of how the original motion to dismiss has been “corrected,” including whether any of the corrections are substantive or merely clerical. Accordingly, the Court HEREBY ORDERS Defendants to show cause in writing by December 7, 2015, why the Court should not strike those motions from the record and rule only on the original motion to dismiss.

2. Under the Northern District Civil Local Rules, Plaintiff’s opposition to Defendants’ original motion was due on November 6, 2015. Plaintiff did not file an opposition on that date. Rather, Plaintiff filed his opposition to Defendant’s original motion on November 20, 2015. Accordingly, the Court HEREBY ORDERS Plaintiff to show cause in writing by December 7,

1 2015, why the Court should accept the untimely brief.

2 The Court shall issue a further order addressing how this matter shall proceed after it  
3 considers the parties' responses.

4 **IT IS SO ORDERED.**

5 Dated: November 24, 2015

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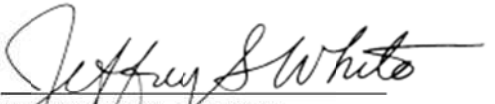
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JEFFREY S. WHITE  
United States District Judge