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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PRINCESCA N. ENE,
Appellant,
v.
PATRICE DARISME,
Appellee.

Case No. 24-cv-04442-JST

**ORDER TO SHOW CAUSE RE:
FAILURE TO FILE OPPOSITION TO
MOTION TO DISMISS**

On November 4, 2024, Appellant Patrice Darisme filed a motion to dismiss this bankruptcy appeal. ECF No. 8. The deadline to file an opposition has passed, and no opposition has been filed. Nor has Appellant Princesca N. Ene filed the statement of nonopposition that is required when “the party against whom the motion is directed does not oppose the motion.” Civil L.R. 7-3(b).

On or before December 13, 2024, Ene shall file either a written response showing cause as to why a timely opposition was not filed or a statement of nonopposition to Darisme’s motion to dismiss.

This order does not constitute permission to file a late opposition.

The deadline to file a reply brief to the motion to dismiss is vacated, as is the hearing currently scheduled for December 19, 2024. The Court will schedule a new reply deadline and hearing date if necessary.

If Ene does not file a timely response to this order to show cause, the Court may dismiss this case for failure to prosecute. *See* Fed. R. Civ. P. 41(b) (allowing dismissal “[if] the plaintiff fails to prosecute”); Fed. R. Bankr. P. 8003(a)(2) (providing that “[a]n appellant’s failure to take


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any step other than the timely filing of a notice of appeal” allows “the district court . . . to act as it considers appropriate, including dismissing the appeal”).

IT IS SO ORDERED.

Dated: November 25, 2024



JON S. TIGAR
United States District Judge