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E-Filed 11/16/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JONA CANDIDO,

Plaintiff,

v.

No. C 09-00919 RS
ORDER TO SHOW CAUSE

DOWNEY SAVINGS AND LOAN
ASSOCIATION, F.A.; CENTRAL
MORTGAGE COMPANY, d/b/a CENTRAL
MORTGAGE LOAN FINANCIAL, d/b/a
TRUSTEE CORPS; and DOES 1 to 100,
inclusive,

Defendants.

In March 2009, plaintiffs Jona and Wilfredo S. Candido, acting *pro se*, filed a complaint against defendants Downey Savings and Loan Association, F.A.; Central Mortgage Company, d/b/a Central Mortgage Loan Servicing Company; and MTC Financial, d/b/a Trustee Corps. Plaintiffs did not serve the summons and complaint on defendants, and the summons expired. The Court held a show cause hearing on August 12, 2009, at which plaintiff Jona Candido appeared and filed an amended complaint. The amended complaint dropped plaintiff Wilfredo Candido and defendant MTC Financial. The Court directed Jona Candido, the remaining plaintiff, to return the expired summons so that a new one could be issued. Ms. Candido has not done so, nor has she taken any other actions in the case.

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No later than **January 6, 2010**, Ms. Candido is directed to file a declaration showing cause why her case should not be summarily dismissed for failure to prosecute. Should she fail to provide adequate assurances that the case is proceeding with all due speed, a show cause hearing will take place on **January 13, 2010**, in Courtroom 4, 5th Floor, United States Courthouse, 280 South First Street, San Jose, California. Ms. Candido’s failure to appear may result in summary dismissal.

IT IS SO ORDERED.

Dated: 11/16/09



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE

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THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:

Jona Candido
1215 Spokane Drive
San Jose, CA 95122

DATED: 11/16/09

/s/ Chambers Staff
Chambers of Magistrate Judge Richard Seeborg