

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JUAN RODRIGUEZ,

Plaintiff,

v.

BANK OF AMERICA, organized and existing  
under laws of the United States, RECONTRUST  
COMPANY, N.A., organized and existing under  
the laws of the State of Texas,

Defendants.

Case No.: C 11-3839-PSG

**ORDER DIRECTING PLAINTIFF TO  
SHOW CAUSE**

**(Re: Docket No. 19)**

Before the court is Defendants Bank of America and Recontrust Company, N.A.’s (“Defendants”) motion to dismiss pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute. Defendants correctly allege that pro se plaintiff Juan Rodriguez (“Rodriguez”) has not filed an amended to complaint, as directed by the court’s November 22, 2011 order granting Defendants’ motion to dismiss with leave to amend.<sup>1</sup> Nor has Rodriguez opposed the pending motion to dismiss for failure to prosecute. The court therefore finds good cause to take Defendants’ motion to dismiss

<sup>1</sup> See Docket No. 18 (Order Granting Motion to Dismiss).

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under submission. The court further finds this matter appropriate for determination without oral argument.<sup>2</sup>

In order to avoid imminent dismissal of his case, Rodriguez must show cause in writing by February 10, 2012 why this case should not be dismissed with prejudice for failure to prosecute. Failure to respond to the order to show cause by said date will result in dismissal of all claims with prejudice.

**IT IS SO ORDERED.**

Dated: January 27, 2012



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PAUL S. GREWAL  
United States Magistrate Judge

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<sup>2</sup> See Civ. L.R. 7-1(b).