

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACK LOUMENA,
Plaintiff,
v.
PAMELA KENNEDY, et al.,
Defendants.

Case No. [14-cv-04165-LHK](#)

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE**

Re: Dkt. No. 3

Plaintiff Jack Loumena filed a complaint in this Court on September 16, 2014. ECF No. 1. On November 3, 2014, defendants Walter Hammon and Travis Krepelka filed a Motion to Dismiss and Request for Judicial Notice, arguing that Plaintiff’s lawsuit fails to state a claim under 42 U.S.C. § 1983 and is barred by the *Rooker-Feldman* doctrine. ECF Nos. 3, 5. Pursuant to Civil Local Rule 7-3(a), Plaintiff’s Opposition to the Motion to Dismiss was due on November 17, 2014.¹ As of today, February 5, 2015, Plaintiff has not filed an Opposition or Statement of Nonopposition to Defendants’ Motion to Dismiss.

The Court hereby ORDERS Plaintiff to show cause why this case should not be dismissed for failure to prosecute. This Order does not authorize Plaintiff to file an untimely Opposition to

¹ The Court renoticed the motion on November 20, 2014, after this case was reassigned to the undersigned. ECF No. 19. The hearing on the motion was renoticed for March 12, 2015, at 1:30 p.m. *Id.* The briefing schedule, however, remained unchanged. *Id.*

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Defendants' Motion to Dismiss. Plaintiff has until February 18, 2015, to file a written response to this Order to Show Cause.

Plaintiff's failure to respond to this Order will result in dismissal with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: February 4, 2015



LUCY H. KOH
United States District Judge