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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

JAMES MURPHY AND TEANA  
MURPHY,

Plaintiffs,

vs.

WELLS FARGO BANK, NA,

Defendant.

CASE NO. 17cv364-LAB (AGS)

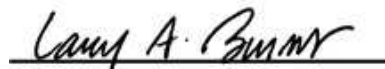
**ORDER GRANTING MOTION TO  
DISMISS**

Failure to file an “opposition to any motion will be construed as consent to granting the motion.” Standing Order § 4; see CivLR 7.1. Wells Fargo filed a motion to dismiss three months ago. The Murphy’s never filed an opposition. The Court grants the motion to dismiss without prejudice. *Newman v. Lamont*, 2011 WL 5909837 (C.D. Cal. Oct. 26, 2011).

If the Murphy’s think they can fix the problems identified by Wells Fargo, they may file a motion for leave to file an amended complaint on or before **June 30, 2017**. That motion must also explain why the Court shouldn’t dismiss the action for failure to comply with the Court’s rules. If the Murphy’s fail to file a motion addressing these issues, the Court will dismiss the action with prejudice. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

**IT IS SO ORDERED.**

DATED: June 23, 2017



**HONORABLE LARRY ALAN BURNS**  
United States District Judge