

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

<b>WILLIE JOE DEBERRY, et al</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>Civil File No. 7:09-CV-107 (HL)</b>
	:	
<b>GMAC MORTGAGE, et al,</b>	:	
	:	
<b>Defendants.</b>	:	

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**ORDER**

Defendants, GMAC Mortgage and Homecomings Financial, filed a motion on September 4, 2009, seeking dismissal of this case. Since Plaintiffs are proceeding pro se, the Court deems it appropriate and necessary to advise them of their obligations in responding to said Motion and of the consequences which they may suffer if they fail to file a proper response thereto.

Plaintiffs are advised:

- (1) that a Motion to Dismiss has been filed herein on behalf of Defendants;
- (2) that they have the right to oppose the granting of said Motion; and,
- (3) that if they fail to oppose said Motion, the complaint against Defendants may be

dismissed.

Plaintiffs are further advised that under the procedures and policies of this Court, motions to dismiss are normally decided on briefs. The Court considers the complaint and briefs filed by the parties in deciding whether dismissal is appropriate under the law.

Failure of Plaintiffs to respond to the Motion to Dismiss may result in the granting of said Motion. There would be no trial or any further proceedings as to the Defendants seeking dismissal.

Accordingly, Plaintiffs are directed to file a response to said Motion to Dismiss within twenty (20) days of the date of entry of this Order. Thereafter, the Court will consider the Motion and any opposition to same filed by Plaintiffs. If no response is submitted by Plaintiffs, the Court will consider said Motion to be uncontested. The Clerk is directed to serve a copy of this Order on Plaintiffs at the last address provided by them

**SO ORDERED**, this the 1<sup>st</sup> day of October , 2009.

*s/ Hugh Lawson* \_\_\_\_\_  
**HUGH LAWSON, SENIOR JUDGE**