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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Dashawn Lamark Corley,  
Plaintiff  
v.  
U.S. Bancorp; Andrew Cecerre,  
Defendants

2:17-cv-02241-JAD-NJK

**Order Granting Motion to Dismiss  
and Closing Case**

[ECF No. 8]

10 On August 30, 2017, Defendants U.S. Bancorp and Andrew Cecere moved to dismiss all  
11 claims under Federal Rule of Civil Procedure 12(b)(6).<sup>1</sup> Corley requested, and was granted, an  
12 extension of his deadline to oppose the motion to dismiss, which made his response due by  
13 September 27, 2017.<sup>2</sup> That deadline expired a week ago, and Corley has not responded to or sought  
14 a second extension of time to oppose the motion to dismiss.

15 Corley's silence constitutes his consent to granting the motion under Local Rule 7-2(d),  
16 which states that "[t]he failure of an opposing party to file points and authorities in response to any  
17 motion . . . constitutes a consent to the granting of the motion."<sup>3</sup> Accordingly, and with good cause  
18 appearing, I construe plaintiff's failure to oppose the motion as his consent to granting it, and

19 **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss [ECF No. 8] is  
20 **GRANTED. This case is dismissed.** The Clerk of Court is instructed to **VACATE the October**  
21 **23, 2017, hearing and CLOSE THIS CASE.**

22 Dated October 4, 2017.

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Jennifer A. Dorsey  
United States District Judge

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26 <sup>1</sup> ECF No. 8.

27 <sup>2</sup> ECF No. 14.

28 <sup>3</sup> L.R. 7-2(d).