

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:09-CV-425-RJC-DCK

SANDRA JONES and AUSTIN SMITH,
Plaintiffs,
v.
SAXON MORTGAGE SERVICES, INC., and
SHAPIRO AND INGLE, LLP,
Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT sua sponte following Defendant Shapiro and Ingle, LLP's "...Motion to Dismiss" (Document No. 8) and "Memorandum in Support of Motion to Dismiss" (Document No. 9).

In accordance with the dictates of Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the undersigned hereby advises the pro se Plaintiffs that they have a right to file a response in opposition to the pending motion. Any response filed by Plaintiffs should be accompanied by a brief containing a concise statement of reasons for opposition, as well as citation to the authorities upon which Plaintiffs rely in support of their opposition. Any pleadings presented to this Court for filing must be accompanied by a certificate stating that Plaintiffs have served copies on counsel for the Defendants.


The undersigned will sua sponte grant Plaintiffs an extension of time in which to respond to the pending motion. Failure of Plaintiffs to respond will likely result in Defendant Shapiro and Ingle, LLP being granted the relief it seeks, the dismissal of the Complaint.

IT IS, THEREFORE, ORDERED that Plaintiffs may file a response to Defendant Shapiro

and Ingle, LLP's "...Motion to Dismiss" (Document No. 8) on or before **February 26, 2009**.

The Clerk of Court is directed to send copies of this Order to Plaintiffs via U.S. Mail and to the Honorable Robert J. Conrad, Jr.

Signed: February 10, 2010



David C. Keesler
United States Magistrate Judge

