

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA**

Dauda Iliya v. United States Marshals Service

Iliya v. United States Marshals Service, Case No. 24-cy-03720-TSH (N.D. Cal. Apr. 7, 2025) · No. 24-cy-03720-TSH · Decided April 7, 2025

SUMMARY

The United States District Court for the Northern District of California issued a third order to show cause in response to Plaintiff Dauda Iliya's failure to oppose the United States Marshals Service's motion to dismiss. The Court vacated the noticed hearing and ordered Plaintiff to file a declaration and either an opposition or statement of nonopposition by April 21, 2025, warning that failure to respond could result in dismissal for failure to prosecute and noncompliance with court deadlines.

OPINION

1 2 UNITED STATES DISTRICT COURT 3 NORTHERN DISTRICT OF CALIFORNIA 4 5
DAUDA ILIYA, Case No. 24-cy-03720-TSH 6 Plaintiff, 7 y. THIRD ORDER TO SHOW
CAUSE 8 UNITED STATES MARSHALS SERVICE, 9 Defendant. 10 Pending before the Court
is a motion to dismiss filed by Defendant United States Marshals Service. ECF No. 29. Plaintiff
Dauda Iliya failed to file an opposition in compliance with Civil Local Rule 7.

The Court possesses the inherent power to dismiss an action sua sponte “to achieve 13 the orderly
and expeditious disposition of cases.” Link vy. Wabash R.R. Co., 370 U.S. 626, 629-33 (1962).
Accordingly, the Court hereby VACATES the April 17, 2025 noticed hearing date and 15
ORDERS Plaintiff to show cause why this case should not be dismissed for failure to prosecute 16
and failure to comply with court deadlines, as well as why Defendant's motion should not be M7
granted.

Plaintiff shall file a declaration by April 21, 2025 and simultaneously file either an a 18 opposition
in compliance with Civil Local Rule 7-3(a) or a statement of nonopposition in 19 compliance with
Local Rule 7-3(b). If Plaintiff files an opposition, Defendant may file any reply 20 || by April 28,
2025. 71 Notice is hereby provided that failure to file a written response will be deemed an 22
admission that you do not intend to prosecute, and this case will likely be dismissed.

Thus, it is 23 imperative the Court receive a written response by the deadline above. 24 IT IS SO
ORDERED. 25 Dated: April 7, 2025 27 THOMAS S. HIXSON 28 United States Magistrate Judge