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Rob Bonta and Director of the Bureau of
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 9 *capacities*

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

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 14 **LANA RAE RENNA et al.,**
 15 Plaintiffs,
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 17 v.
 18 **ROB BONTA, in his official capacity**
as Attorney General of California;
 19 **and LUIS LOPEZ, in his official**
capacity as Director of the
 20 **Department of Justice Bureau of**
Firearms,
 21 Defendants.
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Case No. 3:20-cv-02190-DMS-DEB
NOTICE OF MOTION, MOTION
TO DISMISS UNDER RULE 41
FOR FAILURE TO PROSECUTE
 Date: May 27, 2022
 Time: 1:30 p.m.
 Courtroom: 13A
 Judge: Hon. Dana M. Sabraw
 Trial Date: 3/20/2023
 Action Filed: 11/10/2020

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NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE THAT on May 27, 2022, at 1:30 p.m., before the Honorable Dana M. Sabraw in Courtroom 13A of the United States District Court for the Southern District of California, located at 333 West Broadway in San Diego, California, 92101, Defendants California Attorney General Rob Bonta in his official capacity, and Luis Lopez, in his official capacity as Director of the California Department of Justice Bureau of Firearms, will and hereby do move this Court to dismiss Plaintiff Richard Bailey from this case pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

This motion to dismiss is made on the grounds that Plaintiff Bailey has failed to prosecute the case.

This motion is based on this Notice of Motion and Motion, the attached Memorandum of Points and Authorities, the Declaration of Rita Bosworth, the papers and pleadings on file, and upon such matters that may be submitted before or at the hearing.

Dated: April 25, 2022

Respectfully submitted,

ROB BONTA
Attorney General of California
ANTHONY R. HAKL
Supervising Deputy Attorney General

s/ Rita B. Bosworth

RITA B. BOSWORTH
Deputy Attorney General
Attorneys for Defendants

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CERTIFICATE OF SERVICE

Case Name: *Lana Rae Renna et al. v. Xavier Becerra et al.*
Case No.: **3:20-cv-02190-DMS-DEB**

I hereby certify:

I am employed by the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am over the age of 18 years and not a party to this matter. I am familiar with the Office of the Attorney General's business practice for collection and processing of correspondence for mailing with the United States Postal Service, and I am also familiar with transmitting correspondence electronically.

On April 25, 2022, I electronically filed the following document with the Clerk of the Court by using the CM/ECF system:

- 1. NOTICE OF MOTION, MOTION TO DISMISS UNDER RULE 41 FOR FAILURE TO PROSECUTE**
- 2. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO DISMISS UNDER RULE 41 FOR FAILURE TO PROSECUTE**
- 3. DECLARATION OF RITA BOSWORTH IN SUPPORT OF MOTION TO DISMISS PLAINTIFF RICHARD BAILEY PURSUANT TO RULE 41**

Participants in the case who are registered CM/ECF users were served by the CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. Therefore, on April 25, 2022, I transmitted a true copy of the attached document via electronic mail to the following e-mail address. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Richard Bailey
1522 First Street, M111
Coronado, CA 92118
E-Mail: richard.patrick.bailey@gmail.com
Plaintiff in Pro Se

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct.

Executed on April 25, 2022, at San Francisco, California.

Vanessa Jordan
Declarant

Vanessa Jordan
Signature