

WILLIAM B STEWART, III
ROSALIE A. GUANCIONE

FILED

In Proper Persona
2094 El Camino Real #218
Santa Clara, CA 95050

JUN 25 2008

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Facsimile: 408-453-0530 (Call first)

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA.

UNITED STATES DISTRICT COURT
Northern District of California
San Jose Division
280 So First Street #3035
San Jose, CA 95113-3099

SAN FRANCISCO POLICE CREDIT UNION,) Case #C08 02143

Et Al)

Petitioner)

) Stewart v. SF Police CU

v.)

) EX PARTE MOTION FOR DISMISSAL
) OF ACTION

WILLIAM BULLOCK STEWART III,)

Et Al)

Respondent)

) DATE: TBD

) TIME: TBD

) PLACE: TBD

TRIAL DATE: NOT SET

William Bullock Stewart and Rosalie A. Guancione move the court for an order dismissing this case with prejudice for the following reasons:

1. The claim was never properly served upon any individuals, and therefore none were formally noticed regarding this motion.
2. The case was improperly filed as both a claim by Stewart, and as a counter-claim by Stewart.

Dated: June 24, 2008

x William B. Stewart III
 x Rosalie A. Guancione
 ROSALIE A. GUANCIONE

MEMORANDUM OF POINTS AND AUTHORITIES

The Court has discretion to dismiss a case with prejudice that has not been properly served.

// END MEMORANDUM //