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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Dolores Mieses, Plaintiff, vs. Sunrise Senior Living Services, Inc.; et al., Defendants.	No. CV 07-2492-PHX-JAT **ORDER**

Pending before the Court is Defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 41(b) (Doc. #21). Defendants filed this Motion because Plaintiff has done nothing in this case other than file her Complaint and attend the scheduling conference. Defendants filed their First Set of Discovery Requests on June 3, 2008 (Doc. #18). Plaintiff has not responded to those discovery requests, or defense counsel's phone calls, or defense counsel's letters. Nor has Plaintiff responded to the pending Motion in the time allowed.

Federal Rule of Civil Procedure 41(b) provides that a Court may dismiss an action for failure to prosecute. Fed.R.Civ.P. 41(b). Given the Plaintiff's previous failure to prosecute and the Court's subsequent show cause Order (Doc. #s 12&13) and Plaintiff's current abandonment of her case, the Court will dismiss the action for failure to prosecute.

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Accordingly,

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IT IS ORDERED GRANTING Defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 41(b) (Doc. #21).

DATED this 12th day of September, 2008.

James A. Teilborg
United States District Judge