

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE de JESUS MONTES LOPEZ,

CASE NO. 1:11-cv-00485-LJO-SMS

Plaintiffs,

ORDER DISMISSING CASE WITH
PREJUDICE FOR FAILURE TO
FOLLOW A COURT ORDER

BANK OF AMERICA,
et al.,

Defendants.

(Docs. 2 and 4)

On March 28, 2011, this Court dismissed Plaintiff's complaint for failure to state a claim.

The March 28, 2011 order granted Plaintiff leave to file an Amended Complaint within thirty (30) days of service of the order. In the event that Plaintiff failed to timely file an Amended Complaint, the case was to be dismissed with prejudice.

On April 12, 2011, Plaintiff filed a document captioned “Response to Order to Show Cause,” which attempted to explain the allegations of the original complaint. The Magistrate Judge struck this document and again ordered Plaintiff to file an amended complaint curing the deficiencies identified in the March 28, 2011 order within thirty (30) days of service of the April 12, 2011 order. In the event that Plaintiff failed to timely file an Amended Complaint, the case was to be dismissed with prejudice.

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1 Plaintiff having failed to file an Amended Complaint within thirty (30) days of service of
2 the April 12, 2011 order , it is hereby ORDERED that this case be dismissed with prejudice for
3 failure to follow a Court order.

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5 IT IS SO ORDERED.

6 **Dated: May 24, 2011**

7 /s/ **Lawrence J. O'Neill**
8 **UNITED STATES DISTRICT JUDGE**

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