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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

HELEN SEGURA,)
)
 Plaintiff,)
)
 v.)
)
 GREEN TREE SERVICING, LLC, a)
 limited liability company; KONDAUR)
 CAPITAL CORPORATION, a California)
 corporation; and DOES 1 through 10,)
 inclusive,)
)
 Defendants.)
 _____)

1:11-cv-634 AWI SMS
ORDER ON CLOSING CASE
(Doc. No. 16)

On June 17, 2011, after identifying numerous deficiencies in the complaint, the Court granted Defendants’ motions to dismiss and dismissed the entirety of the active complaint. See Court’s Docket Doc. No. 16. The Court granted Plaintiff leave to file an amended complaint within fourteen (14) days of service of the order. See id. The Court warned Plaintiff that the failure to timely file an amended complaint would result in the Court withdrawing leave to amend and ordering termination of the case without further notice. See id. Despite this warning, as of the date of this order, Plaintiff has yet to file an amended complaint. The Court takes Plaintiff’s failure to comply with the June 17 order, and the failure to heed the warning regarding termination of the case, as Plaintiff’s decision to discontinue prosecution of this matter. The Plaintiff’s failure to file an amended complaint prevents this case from proceeding because the operative complaint contains no viable claims against any defendant and the time to file an amended complaint has passed. Therefore, it is appropriate to close this case.

1 Accordingly, IT IS HEREBY ORDERED that, due to Plaintiff's failure to file an
2 amended complaint as previously instructed, leave to amend as previously granted in the June 17,
3 2011 order on Defendants' motions to dismiss is WITHDRAWN, and the Clerk shall CLOSE
4 this case.

5 IT IS SO ORDERED.

6 Dated: July 8, 2011


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8 CHIEF UNITED STATES DISTRICT JUDGE
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