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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DONALD SANCHEZ,

No. 2:09-cv-01186-MCE-KJN

Plaintiff,

v.

**ORDER**

INDYMAC BANK, F.S.B. et al.,

Defendants.

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Plaintiff Donald Sanchez ("Plaintiff") filed the instant claim in April 2009 against multiple defendants, seeking redress for actions surrounding Plaintiff's home mortgage. On April 18, 2011, the Court set a hearing for an Order to Show Cause, after the parties failed to file a timely Joint Status Report in accordance with the Court's previous order (ECF No. 77). At the May 5 Order to Show Cause hearing, Plaintiff's request to dismiss two remaining defendants was granted, and the Court ordered Plaintiff to file a Request for Entry of Default Judgment on or before June 6, 2011 (ECF No. 82). That request was ignored.

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1 Plaintiff's counsel filed a declaration and related exhibits  
2 discussing an entry of default, but failed to actually file the  
3 default itself (See ECF Nos. 83 and 84). The Court explained in a  
4 responsive Order that Plaintiff's counsel's documents did not  
5 satisfy the requirements of the Court's previous orders (ECF  
6 No. 85).

7 Plaintiff was further required to file a proper Request for  
8 Default Judgment by July 25, 2011. The Court warned that failure  
9 to comply with the Court's Order would result in terminating  
10 sanctions without further notice to the parties. Again, Plaintiff  
11 failed to comply with the Court's instructions.

12 Therefore, the Court finds that Plaintiff's actions in failing  
13 to comply with the Court's repeated instructions are willful and  
14 terminating sanctions are appropriate. Terminating sanctions are  
15 thus issued against Plaintiff. The Clerk is ordered to close the  
16 case.

17 IT IS SO ORDERED.

18 Dated: August 31, 2011

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20 MORRISON C. ENGLAND, JR.  
21 UNITED STATES DISTRICT JUDGE  
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