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

CONSTANCE CRAVER,
Plaintiff,

No. CIV S-09-1276-MCE-CMK

vs.

ORDER

NATIONAL CITY BANK, et al.,
Defendants.

_____ /

Plaintiff, proceeding pro se, brings this action to “quiet title.” The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On October 22, 2009, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.¹


¹ Instead of filing objections to the findings and recommendations, Plaintiff filed an amended complaint on October 30, 2009. The court interprets this action as Plaintiff agreeing with the magistrate judge’s recommendation that her original complaint be dismissed with leave to amend. No objections were received by the defendants either, who instead responded to Plaintiff’s amended complaint with a new motion to dismiss/motion to strike.

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the Magistrate Judge's analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed October 22, 2009, are adopted in
5 full;
- 6 2. Plaintiff's motion to remand (Doc. 20) is denied;
- 7 3. Defendant's motion to dismiss (Doc. 8) is granted;
- 8 4. Plaintiff's complaint is dismissed;
- 9 5. Plaintiff is granted leave to file an amended complaint;
- 10 6. Defendant's motion to strike (Doc. 10) is denied as moot; and
- 11 7. This matter is referred back to the magistrate judge for further
12 proceedings.

13 Dated: November 18, 2009

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16 MORRISON C. ENGLAND, JR.
17 UNITED STATES DISTRICT JUDGE
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