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

KWANZA GREEN,

Plaintiff,

No. CIV S-10-0242 MCE EFB PS

vs.

ALLIANCE TITLE; CMG MORTGAGE,  
INC.; SELECT PORTFOLIO SERVICING,  
INC.; NATIONAL DEFAULT SERVICING,  
CORP.; and DOES 1 through 100, inclusive,

ORDER

Defendants.

\_\_\_\_\_ /  
On September 2, 2010, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

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1 Accordingly, IT IS ORDERED that:

2 1. The proposed Findings and Recommendations filed September 2, 2010, are  
3 ADOPTED;

4 2. Defendant SPS's motion to dismiss plaintiff's complaint, Dckt. No. 9, is  
5 granted;

6 3. Defendant CMG's motion to dismiss plaintiff's complaint, Dckt. No. 26, is  
7 granted;


8 4. Plaintiff's complaint is dismissed in its entirety, with leave to amend as  
9 provided in the magistrate judge's September 2 findings and recommendations;

10 5. Plaintiff's motions to amend and for joinder, Dckt. Nos. 28, 44, and 46, are  
11 granted in part and denied in part;

12 6. Defendant SPS's motion to expunge a lis pendens recorded by or on behalf of  
13 plaintiff, Dckt. No. 16, is denied without prejudice; and

14 7. Plaintiff is granted thirty days from the date of service of this order to file an  
15 amended complaint. The amended complaint must bear the docket number assigned to this case  
16 and must be labeled "Amended Complaint." Plaintiff must file an original and two copies of the  
17 amended complaint. Failure to timely file an amended complaint in accordance with this order  
18 will result in a recommendation by the magistrate judge that this action be dismissed and the case  
19 closed.

20 Dated: September 24, 2010

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22 MORRISON C. ENGLAND, JR.  
23 UNITED STATES DISTRICT JUDGE  
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