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

CRAIG E. OHLENDORF,

Plaintiff,

2:11-cv-293-LKK-EFB PS

vs.

AMERICAN BROKERS CONDUIT,
a wholly owned subsidiary of AMERICAN
HOME MORTGAGE CORP.; POWER
DEFAULT SERVICES, INC., f/k/a AHMSI
DEFAULT SERVICES, INC.; AMERICAN
HOME MORTGAGE SERVICING, INC.;
LSI TITLE COMPANY; T.D. SERVICE
COMPANY; OLD REPUBLIC TITLE
COMPANY; DEUTSCHE BANK NATIONAL
TRUST COMPANY; OPTION ONE
MORTGAGE CORPORATION; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC. (MERS); HARBORVIEW
MORTGAGE LOAN TRUST; MORTGAGE
LOAN PASS-THROUGH CERTIFICATES,
SERIES 2007-5; and DOES 1-10,

Defendants.

FINDINGS AND RECOMMENDATIONS

This action, in which plaintiff is proceeding *in propria persona* and *in forma pauperis*, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). On May 9, 2012, the court issued an order (1) dismissing defendant Old Republic Title Company without prejudice for failure to prosecute pursuant to Federal Rule of

1 Civil Procedure 41(b); (2) dismissing defendant American Brokers Conduit without prejudice for
2 failure to effect service of process within the time prescribed by Rule 4(m); and (3) providing
3 plaintiff until June 11, 2012 to file an amended complaint, as provided therein and as provided in
4 the court's March 5 and April 17, 2012 orders. Dckt. No. 62 at 4. The dismissal order warned
5 plaintiff that failure to file an amended complaint would result in a recommendation that this
6 action be dismissed. *Id.*

7 The deadline has now passed and plaintiff has not filed an amended complaint or
8 otherwise responded to the court's May 9, 2012 order.

9 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without
10 prejudice, and that the Clerk be directed to close this case. Fed. R. Civ. P. 41(b); L.R. 110.

11 These findings and recommendations are submitted to the United States District Judge
12 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
13 after being served with these findings and recommendations, any party may file written
14 objections with the court and serve a copy on all parties. Such a document should be captioned
15 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections
16 within the specified time may waive the right to appeal the District Court's order. *Turner v.*
17 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

18 Dated: June 25, 2012.

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21 EDMUND F. BRENNAN
22 UNITED STATES MAGISTRATE JUDGE
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