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

TERESA D. LOPEZ, an individual;
JOSE A. LOPEZ, an individual,

Plaintiffs,

Civ. No. S-11-1454 KJM EFB

vs.

WELLS FARGO BANK, N.A.
et al.,

ORDER

Defendants.

_____ /

On July 7, 2011, defendant Wells Fargo Bank filed motions to dismiss and to strike portions of plaintiffs' complaint. Plaintiffs did not oppose the motions.

On September 23, 2011, the court ordered plaintiffs to show cause within seven days why this action should not be dismissed for failure to prosecute. Plaintiffs have not responded to the court's order.

Federal Rule of Civil Procedure 41(b) gives the district court authority to dismiss an action for failure to prosecute. Plaintiffs attempted to dismiss this case, but did not provide the stipulation required by Rule 41(a)(1)(ii), and have done nothing since then. Dismissal for failure to prosecute is appropriate.

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IT IS THEREFORE ORDERED that this case is dismissed without prejudice for failure to prosecute. FED. R. CIV. P. 41(b).

DATED: October 11, 2011.


UNITED STATES DISTRICT JUDGE