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

ROBERT WOOTEN,

Plaintiff,

No. CIV S-11-1791 MCE DAD PS

v.

COUNTRYWIDE HOME LOANS, INC., ORDER
et al.,

Defendants.

_____ /

Plaintiff, Robert Wooten, is proceeding in this action pro se. The case was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

On May 9, 2012, the undersigned issued findings and recommendations recommending that the motions to dismiss filed on behalf of defendants Ocwen Loan Servicing, LLC, Western Progressive, LLC and Countrywide Home Loans be granted in part, that plaintiff's civil RICO claim be dismissed with prejudice, that the court decline to exercise supplemental jurisdiction over plaintiff's state law claims and that this action be closed. (Doc. No. 41.) The time for filing objections to those findings and recommendations has expired, and the findings and recommendations have been submitted to the assigned District Judge for review.

On May 31, 2012, defendant CitiMortgage, Inc., noticed a motion to dismiss plaintiff's complaint for hearing before the undersigned on June 29, 2012. However, as noted

1 above, on May 9, 2012, the undersigned issued findings and recommendations recommending
2 that plaintiff's amended complaint be dismissed and this action be closed.

3 Accordingly, IT IS HEREBY ORDERED that the noticed hearing on defendant
4 CitiMortgage, Inc.'s motion to dismiss (Doc. No. 44) is vacated and that motion is dropped from
5 the court's June 29, 2012 law and motion calendar. The motion may be re-noticed if the assigned
6 District Judge does not adopt the undersigned's May 9, 2012, findings and recommendations.

7 DATED: June 5, 2012.

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DALE A. DROZD
12 UNITED STATES MAGISTRATE JUDGE

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