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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUNG HYUN CHO, et al.,
Plaintiffs,
v.
SELECT PORTFOLIO SERVICING,
INC., et al.,
Defendants.

No. 2:17-cv-01073-KJM-CKD (PS)

ORDER

On April 5, 2018, after plaintiffs missed two court-ordered deadlines to file an amended complaint (see ECF Nos. 91, 96), the undersigned recommended dismissal of this matter, pursuant to Federal Rule of Civil Procedure 41(b). (ECF No. 100.)

Then, on April 17, 2018, plaintiffs filed objections to the undersigned’s recommendations. (ECF No. 101.) However, plaintiffs have neither filed an amended complaint nor requested any additional time to do so. Instead, plaintiffs appear to move for reconsideration of the court’s January 17, 2018 order dismissing the complaint with leave to amend. (See ECF No. 101.) To the extent that plaintiffs seek reconsideration, that request is denied as plaintiffs have not demonstrated any relevant change to the law or facts in this matter. Moreover, the court once again advises plaintiffs that this matter was not automatically stayed when plaintiffs filed an interlocutory appeal to the court’s January 17, 2018 order.

1 Still, the court has a great desire to have this matter resolved on its merits, rather than by
2 involuntary dismissal. Thus, in light of plaintiffs' *pro se* status and their recent appearance,
3 plaintiffs will be afforded a final opportunity to amend the complaint.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The court's April 5, 2018 order and findings and recommendations (ECF No. 100) are
6 VACATED.
- 7 2. No later than May 10, 2018, plaintiffs shall file an amended complaint that complies
8 with the terms of the court's January 17, 2018 order (ECF No. 91).
- 9 3. Failure to comply with the terms and deadlines of this order will result in a
10 recommendation of dismissal of the action with prejudice pursuant to Federal Rule of
11 Civil Procedure 41(b).

12 Dated: April 20, 2018

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14 _____
15 CAROLYN K. DELANEY
16 UNITED STATES MAGISTRATE JUDGE

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