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

LONNIE G. SCHMIDT,
Plaintiff,

No. C 13-01509 WHA

v.

**ORDER DISMISSING ACTION
FOR FAILURE TO PROSECUTE**

WELLS FARGO BANK, N.A., NDE_x WEST,
LLC, and DOES 1–25, inclusive,
Defendants.

By order dated June 21, defendant Wells Fargo Bank’s motion to dismiss was granted (Dkt. No. 34). The order stated that plaintiff may seek leave to amend his complaint by filing a motion and attaching the new proposed pleading by July 12. The order further stated that “plaintiff is warned that if his motion (if one is timely filed) fails to address the specific defects identified herein, the action may be terminated without further briefing or a hearing” (*id.* at 11). The deadline for filing a motion for leave to file an amended complaint has passed and no motion has been received. Accordingly, the action is hereby **DISMISSED FOR FAILURE TO PROSECUTE**. Judgment will be entered by separate order.

IT IS SO ORDERED.

Dated: July 18, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE