IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICOLE HODGE AMEY,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

Case No. 18-cv-02406-CRB

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

Nicole Amey sued under the ADA and Rehabilitation Act, complaining of (1) the California Office of Administrative Hearings' ("OAH") denial of Amey's request for a continuance on behalf of her client, and (2) the OAH's decision to sanction Amey in a different case. Compl. (dkt. 1) at 6–7. This Court determined her appeal of the sanctions order was barred under the Rooker-Feldman doctrine. Dkt. 24; see Noel v. Hall, 341 F.3d 1148, 1163 (9th Cir. 2003) ("[W]hen the plaintiff in federal district court complains of a legal wrong allegedly committed by the state court, and seeks relief from the judgment of that court," the action is a forbidden de facto appeal.). Amey also sought injunctive relief, which this Court also denied. Dkt. 24. This Court thus denied the complaint with leave to amend by no later than August 17, 2018. Dkt. 24.

As of October 10, 2018, Amey has filed no amended complaint. This case is thus **DISMISSED WITH PREJUDICE** for failure to prosecute. See Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

Dated: October 10, 2018

CHARLES R. BREYER
United States District Judge