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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TANYA GRACE MCDANIEL,  
Plaintiff,  
v.  
UNITED STATES, et al.,  
Defendants.

Case No. [20-cv-02472-EMC](#)**ORDER DISMISSING CASE**

Docket No. 8, 10, 11

On April 21, 2020, the Court dismissed Plaintiff Tanya McDaniel's complaint under 28 U.S.C. Section 1915(e) because it failed to state a claim upon which relief could be granted, and Plaintiff was granted leave to file an amended complaint by May 26, 2020. *See* Docket No. 4. Plaintiff was also instructed at that time to contact the Court's Legal Help Desk for assistance. On May 29, 2020, Plaintiff requested an extension of time to file her amended complaint, which was granted by the Court on June 18, 2020. *See* Docket No. 6. Plaintiff's Amended Complaint was due on July, 21, 2020. *See* Docket No. 6. On June 30, 2020, Plaintiff filed a Motion to Amend Complaint and attached an amended complaint. *See* Docket No. 8. On July 20, 2020, Plaintiff filed a motion which the Court construed as a Motion for Reconsideration to amend the complaint. *See* Docket No. 10.

On August 3, 2020, the Court dismissed Plaintiff Tanya McDaniel's complaint filed at Docket No. 8-1 because it was identical to the complaint previously dismissed, and the Court granted Plaintiff one more opportunity to file a complaint that complies with the requirements of Federal Rule of Civil Procedure 8(a). *See* Order, Docket No. 11. The Order further instructed Plaintiff to contact the Court's Legal Help Desk and listed all contact information for that

1 department. The Amended Complaint was due on September 2, 2020. *See* Order, Docket No. 11.  
2 That deadline has passed and no amended pleading has been filed. Further, the Deputy Clerk  
3 attempted to contact Plaintiff by telephone on numerous occasions, to no avail. Accordingly, the  
4 Court finds good cause to DISMISS the complaint for failure to prosecute without prejudice. The  
5 Clerk of the Court is ordered to close the case.

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7 **IT IS SO ORDERED.**

8 Dated: September 14, 2020

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11 EDWARD M. CHEN  
12 United States District Judge

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