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4 **UNITED STATES DISTRICT COURT**  
5 **NORTHERN DISTRICT OF CALIFORNIA**  
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8 DONNA MOLINA,

9 Plaintiff,

10 vs.

11 BANK OF AMERICA, aka RECONSTRUST,

12 Defendants.  
13

Case No.: 12- cv 170 YGR

**ORDER DISMISSING CASE FOR FAILURE TO  
FILE AMENDED COMPLAINT**

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15 On May 5, 2012, this Court issued an order granting the Motion of Defendant Bank of  
16 America, N.A. with leave to amend. (Dkt. No. 14.) The Order gave Plaintiff Donna Molina 21  
17 days from the date of the order to file an amended complaint setting forth a valid legal claim. The  
18 Order stated that “[i]f plaintiff fails to amend, the case will be dismissed under Rule 41(b) for  
19 failure to prosecute. *Toyota Landscape Co., Inc. v. Building Material & Dump Truck Drivers*  
20 *Local 420 726 F2d 525, 528 (9th Cir. 1984).*” (Dkt. No. 14 at 5:20-22.)  
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22 Plaintiff has not filed an amended complaint or any other document at this time, which is  
23 well past the 21 days granted. Therefore, and pursuant to Federal Rule of Civil Procedure 41(b),  
24 this action is DISMISSED.

25 **IT IS SO ORDERED.**

26 April 18, 2012

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28 YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE