

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT DANIEL EBERWEIN, et al.,
Plaintiffs,
v.
TRACEY HOPE DAVIS, United States
Trustee, Region Two,
Defendant.

Case No.: 4:13-cv-02732-YGR

**ORDER DISMISSING ACTION FOR FAILURE TO
FILE AN AMENDED COMPLAINT**

TRACEY HOPE DAVIS, United States
Trustee, Region Two,
Defendant.

On July 25, 2013, the Court issued an Order Denying Without Prejudice Application to Proceed *in Forma Pauperis* and Dismissing Complaint With Leave to Amend. (Dkt. No. 4.) The Order stated: “If Plaintiffs wish to pursue this action, they must file an amended complaint by August 12, 2013 stating a cognizable legal theory over which this Court has subject matter jurisdiction *and* factual allegations supporting their claim(s).”

To date, Plaintiffs have not filed an amended complaint. In addition, mail sent to Plaintiffs at their addresses of record has been returned to the Court as undeliverable. (Dkt. Nos. 5–6.)

Based on Plaintiffs' failure to amend the complaint and their failure to keep their addresses of record current, this action is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Dated: September 4, 2013

Yvonne Gonzalez Rogers
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE