

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HI&RH EMPRESS AUBREE' DEI GRATIA,	)	Case No.: 10-CV-03742-LHK
	)	
Plaintiff,	)	ORDER ADOPTING REPORT AND
v.	)	RECOMMENDATION; AND
	)	DISMISSING CASE FOR FAILURE TO
WACHOVIA MORTGAGE, FSB,	)	PROSECUTE
	)	
Defendant.	)	

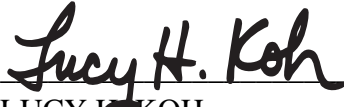
Plaintiff failed to appear at a Case Management Conference scheduled for November 2, 2010, and again failed to appear at another Case Management Conference scheduled for January 18, 2011. In addition, Plaintiff did not respond to a January 19, 2011 Order to Show Cause why the case should not be dismissed for failure to prosecute. The Honorable Magistrate Judge Paul S. Grewal has made a report and recommendation that the undersigned dismiss this action for failure to prosecute. *See* Dkt. #23. Judge Grewal's Report and Recommendation was filed on February 4, 2011. No objections have been filed, and the time to file objections has expired.

Having reviewed the Report and Recommendation, as well as the record in this case, the Court finds that the Report and Recommendation is well-founded in fact and in law and, therefore, the Report and Recommendation is adopted in its entirety. The action is DISMISSED for failure to

1 prosecute. The Clerk shall close the file and terminate any pending motions.

2 **IT IS SO ORDERED.**

3  
4 Dated: March 21, 2011

  
LUCY H. KOH  
United States District Judge