

1 and failed to appear at the January 23, 2013 hearing, Plaintiff's case would be dismissed with
2 prejudice for failure to prosecute.

3 Plaintiff did not respond to the OSC. Plaintiff also did not appear at the January 23, 2013
4 hearing. Rather, Plaintiff's ex-husband Mr. William McGee, who is not an attorney, attended the
5 hearing. The Court notes that this is not the first time Mr. McGee has appeared on Plaintiff's
6 behalf. Indeed, Plaintiff has missed two of the three case management conferences in this case,
7 and Mr. McGee has appeared in her stead. *See* ECF Nos. 20, 28. At the OSC hearing, Mr. McGee
8 stated that Plaintiff wishes to withdraw from the case due to stress.

9 In light of Plaintiff's failure to respond to the OSC and failure to appear at the OSC hearing,
10 the Court hereby DISMISSES Plaintiff's case with prejudice for failure to prosecute. The Clerk
11 shall close the file.

12 **IT IS SO ORDERED.**

13 Dated: January 23, 2013



14 LUCY H. KOH
15 United States District Judge