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28E-FILED on 2/11/13IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FREDDIE MAHINAN, et al.,

Plaintiffs,

v.

ALLIANCE BANKCORP, et al.,

Defendants.

No. C-12-5587 RMW

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
PLAINTIFFS' COMPLAINT**[Re Docket No. 6]**

On December 18, 2012, plaintiffs failed to appear for a case management conference. The court ordered plaintiff to show cause in writing by January 25, 2013 for why the case should not be dismissed for failure to prosecute. Plaintiffs have taken no further steps in this case, and the deadline to show cause has now passed. On January 28, 2013, the magistrate judge ordered that the case be reassigned to a district judge and issued a report and recommendation that the complaint be dismissed for failure to prosecute. Dkt. No. 6. The case is now before the undersigned. The court having reviewed the magistrate judge's report and there being no objections filed, the court adopts

1 the magistrate judge's report and recommendation in full and hereby ORDERS that plaintiffs'
2 complaint is dismissed for failure to prosecute.

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DATED: February 11, 2013


RONALD M. WHYTE
United States District Judge