

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KELLIE M. BALLARD,

CASE NO. 5:13-cv-02458 EJD

Plaintiff(s),

ORDER DISMISSING CASE

v.

BANK OF AMERICA, N.A., et. al.,

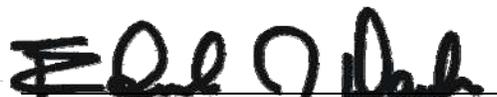
Defendant(s).

On March 13, 2014, the court issued an Order to Show Cause requiring Plaintiff to show, no later than March 21, 2014, why this action should not be dismissed as moot after a related Maryland action was finally decided against Plaintiff. See Docket Item No. 19. Plaintiff did not file a response to the Order to Show Cause by the imposed deadline.

Accordingly, this action is DISMISSED AS MOOT for the reasons previously identified. The dismissal will be with prejudice since the court concludes, based on the specific nature of the relief sought, that the conduct at issue cannot be repeated. See Landers v. Curran & Connors, Inc., No. C 05-03169 WHA, 2006 U.S. Dist. LEXIS 15770, at *6, 2006 WL 708948 (N.D. Cal. Mar. 21, 2006) (“If defendant can never again engage in the challenged conduct, the action is permanently moot.”). Judgment shall be entered in favor of Defendant and the clerk shall close this file.

IT IS SO ORDERED.

Dated: March 24, 2014


EDWARD J. DAVILA
United States District Judge