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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 VAN J. ROSS,

12 Plaintiff,

13 v.

14 PADRES LP, et al.,

15 Defendants.
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Case No.: 17-CV-1676 JLS (JLB)

**ORDER DISMISSING ACTION
WITHOUT PREJUDICE**

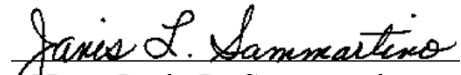
18 On March 28, 2019, the Court granted Defendants Padres, L.P., Christina Hall, and
19 Ian Graham's unopposed motion to dismiss and dismissed Plaintiff Van J. Ross' First
20 Amended Complaint. ECF No. 39. The Court granted Plaintiff leave to file an amended
21 complaint within thirty days, noting that "[f]ailure to file within the time allotted may result
22 in the dismissal of this action in its entirety." *Id.* Plaintiff has not filed an amended
23 complaint or filed for an extension of time. Accordingly, pursuant to Federal Rule of Civil
24 Procedure 41(b), the Court **DISMISSES WITHOUT PREJUDICE** this action in its
25 entirety for failure to prosecute and failure to comply with the Court's March 28, 2019
26 Order. *See Lira v. Herrera*, 427 F.3d 1164, 1169 (9th Cir. 2005) ("If a plaintiff does not
27 take advantage of the opportunity to fix his complaint, a district court may convert the
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1 dismissal of the complaint into dismissal of the entire action.”). The Clerk of Court
2 **SHALL CLOSE** the file.

3 **IT IS SO ORDERED.**

4 Dated: October 3, 2019


5 Hon. Janis L. Sammartino
6 United States District Judge

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