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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
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10 THE ESTATE OF JEAN ELLYN TUCK,
11 and THE ESTATE OF ROBERT JAMES
12 TUCK

Plaintiff,

13 v.

14 CF REAL ESTATE SERVICES,

15 Defendant.
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Case No.: 21-CV-920 JLS (BLM)

ORDER DISMISSING CASE

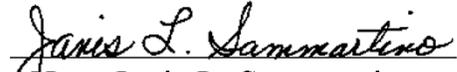
18 On May 27, 2021, the Court dismissed Plaintiffs Estate of Jean Ellyn Tuck and
19 Estate of Robert James Tuck's Complaint without prejudice for improper venue. ECF No.
20 3. The Court granted Plaintiffs leave to file an amended complaint within forty-five (45)
21 days that sets forth a basis for venue in the Southern District of California. *Id.* at 4. The
22 Court warned that “[s]hould Plaintiffs fail to file an amended complaint within the time
23 provided, the Court will enter a final order dismissing this civil action with prejudice.” *Id.*
24 (citing *Lira v. Herrera*, 427 F.3d 1164, 1169 (9th Cir. 2005)). However, the Court stated
25 that “[s]uch dismissal would be without prejudice to Plaintiffs refiling their claims in the
26 proper venue.” *Id.*

27 Plaintiffs have failed to file an amended complaint by the July 12, 2021, deadline.
28 Accordingly, the Court **DISMISSES WITH PREJUDICE** the action. This dismissal is

1 **WITHOUT PREJUDICE** to Plaintiffs refiling their claims in the proper venue. The
2 Clerk of the Court **SHALL CLOSE** the file.

3 **IT IS SO ORDERED.**

4 Dated: July 16, 2021


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

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