

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

Case No. 8:14-cv-2361-T-33TBM

MAURICE ADAMS,

Defendant.

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ORDER

This cause is before the Court pursuant to Defendant Maurice Adams' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim (Doc. # 29), filed on March 25, 2015. Pursuant to Local Rule 3.01(b) and Rule 6(d), Fed. R. Civ. P., the deadline for Plaintiff Malibu Media, LLC to file a response in opposition to the Motion to Dismiss was, at the latest, April 13, 2015.

However, on April 8, 2015, Plaintiff filed an Unopposed Motion for Extension of Time Within Which to File its Response to Defendant's Motion to Dismiss (Doc. # 36), which this Court granted (Doc. # 37). Therefore, Plaintiff's response in opposition to the Motion to Dismiss was due April 15, 2015. (See Id.).

A review of the file reveals that Plaintiff failed to file a response to Defendant's Motion to Dismiss within the deadline imposed by the Federal Rules of Civil Procedure and this Court, or at any point since. Accordingly, the Court considers the Motion to Dismiss as unopposed.

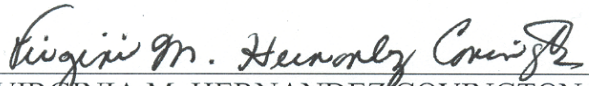
Upon due consideration of the Motion to Dismiss and the record before the Court, the Court grants Defendant's Motion to Dismiss as unopposed.

Accordingly, it is hereby

ORDERED, ADJUDGED, and DECREED:

- (1) Defendant Maurice Adams' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim (Doc. # 29) is **GRANTED** to the extent that this case is dismissed without prejudice.
- (2) The Clerk is directed to CLOSE this case.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 16th day of April, 2015.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies: All Counsel of Record