

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

JACQUELINE CURRY,

Plaintiff,

v.

Case No: 8:14-cv-2420-T-30JSS

HSBC NORTH AMERICA HOLDINGS,
INC. and HSBC TECHNOLOGY &
SERVICES (USA) INC.,

Defendants.

ORDER OF DISMISSAL

THIS CAUSE comes before the Court upon Defendants' Verified Statement of Plaintiff's Non-Appearance at Deposition and Mediation (Dkt. #106). Upon review of Defendants' Verified Statement and the record in this case, and being otherwise advised in the premises, the Court dismisses this case without prejudice.

The record reflects that this Court and the Magistrate Judge have instructed Plaintiff on numerous occasions that she is required to personally appear in this district for her deposition and mediation. (Dkts. #83, #86, #91, #94, #97, and #105). On September 3, 2015, after Defendants moved for dismissal of this case premised on Plaintiff's noncompliance, the Court provided Plaintiff with a final opportunity to comply with the Court's Orders. The Court ruled that Plaintiff shall personally appear for mediation and her deposition in this district by September 30, 2015. The Court also deferred ruling on Defendants' Motions for Dismissal and warned Plaintiff that if she did not personally appear for mediation and her deposition by September 30, 2015, the Court

would grant Defendants' Motions "to the extent that this action will be dismissed without prejudice and without further notice to Plaintiff." (Dkt. #97).

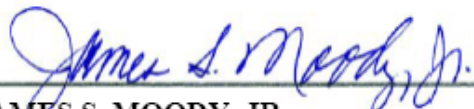
Defendants' Verified Statement indicates that Plaintiff's deposition was noticed for September 29, 2015, and that mediation was to occur the next day, on September 30, 2015; Plaintiff did not appear at either event. (Dkts. #106, 107). This is unsurprising because Plaintiff filed a notice to the Court dated September 24, 2015, stating that she would not personally appear in this district for these events. (Dkt. #102). As the Court previously cautioned, Plaintiff's noncompliance results in the dismissal of her case.

Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. Defendants' Motions for Dismissal (Dkts. #87, #88) are granted to the extent that this action is hereby dismissed without prejudice.
2. All other pending motions are denied as moot.
3. The Clerk is directed to close this case.

DONE and **ORDERED** in Tampa, Florida, this 1st day of October, 2015.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record