

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CIV-23183-KING

SYDNEY BURGESS,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

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**ORDER GRANTING WITH PREJUDICE DEFENDANT'S MOTION TO DISMISS  
PLAINTIFF'S SECOND AMENDED COMPLAINT**

THIS CAUSE comes before the Court upon Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint (DE #24), filed February 8, 2011.<sup>1</sup> Upon renewed consideration of its docket, the Court notes that Plaintiff's claims have previously been dismissed by this Court on several occasions. Moreover, the Court notes that Plaintiff has cured none of the earlier deficiencies and, because it is apparent that Plaintiff cannot state sufficient facts to support a cause of action, Plaintiff's Second Amended Complaint must be dismissed with prejudice.

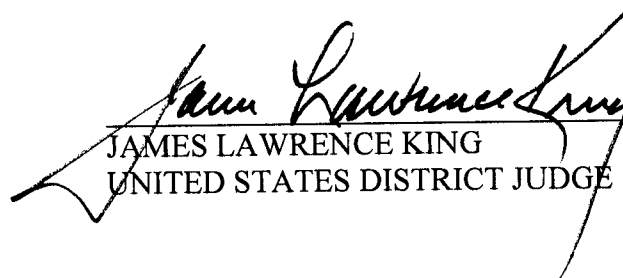
Accordingly, the Court having read the parties' motions and legal authorities and being otherwise fully advised, it is **ORDERED, ADJUDGED, and DECREED** that:

1. Defendant's Motion to Dismiss (DE #24) be, and the same hereby is, **GRANTED.**
2. The above-styled action is **DISMISSED with prejudice.**
3. The Clerk shall **CLOSE** the above-styled matter.

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<sup>1</sup> This matter has been well briefed by the parties, as Plaintiff filed a Response (DE #25) to Defendant's Motion to Dismiss on February 25, 2011. As such, this matter is ripe for consideration.

**DONE and ORDERED** in Chambers at the James Lawrence King Federal Justice Building and United States Courthouse, Miami, Florida, this 28th day of February, 2011.

  
JAMES LAWRENCE KING  
UNITED STATES DISTRICT JUDGE

**Cc:**

**Plaintiff *pro se***  
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