

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GLORIA J. MYERS,

Plaintiff,

No. 13-10361

v.

Magistrate Judge R. Steven Whalen

RESIDENTIAL CREDIT SOLUTIONS,
ET AL.,

Defendants.

OPINION AND ORDER

On July 10, 2015, this Court issued an order directing Plaintiff Gloria Myers to show cause by July 24, 2015 why Defendant First Franklin Financial Corporation should not be dismissed for failure to prosecute [Doc. #35]. The time for responding has long passed. Accordingly, claims against First Franklin Financial Corporation, the last remaining Defendant, are DISMISSED WITH PREJUDICE.

I. FACTS

This is a mortgage foreclosure case. On or about January 7, 2013, Plaintiff Gloria Meyers filed a *pro se* civil complaint in the Circuit Court for Wayne County, Michigan. Defendant Residential Credit Solutions (“RCS”) removed the case to this Court based on diversity jurisdiction under 28 U.S.C. § 1332. Plaintiff subsequently retained counsel, who filed a Corrected Second Amended Complaint [Doc. #25] on September 3, 2013. On

September 24, 2013, Plaintiff's counsel filed a motion to withdraw [Doc. #26], and on the same day, Defendant RCS filed the present motion [Doc. #27]. On October 28, 2013, after having given Plaintiff 14 days to respond to counsel's motion to withdraw, and Plaintiff having failed to respond or object, I granted counsel's motion to withdraw [Doc. #29]. On November 14, 2013, I ordered Plaintiff, who was now again proceeding *pro se*, to file a response to RCS's motion to dismiss on or before January 10, 2014. The order further stated, "If Ms. Myers does not file a response by that date, the Court will consider Defendant's motion unopposed." [Doc. #30]. Ms. Meyers did not file a response. On September 30, 2014, I granted RCS's unopposed motion to dismiss [Doc. #34].

On July 10, 2015, I ordered Plaintiff to show cause why this case should not be dismissed for failure to prosecute under E.D. Mich LR 41.2, advising her that her failure to respond could result in dismissal of the case [Doc. #35]. Because Plaintiff has failed to respond to my order, Defendant First Franklin Financial Corporation is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
United States Magistrate Judge

Dated: October 5, 2015

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on October 5, 2015, electronically and/or by U.S. mail.

s/C. Ciesla

Case Manager