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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARIA FIDELIS SAAVEDRA, *et al.*,

Plaintiffs,

v.

CHICAGO TITLE, *et al.*,

Defendants.

Case No. 2:12-CV-00407-KJD-CWH

ORDER

Before the Court is Plaintiffs’ Motion for Leave to Amend Complaint (#5). Plaintiffs have not included a proposed amended complaint with their motion as required by Local Rule 15-1.

On July 16, 2012, the Court notified (#4) Plaintiffs of its intent to dismiss the Complaint if proof of service was not filed on or before August 15, 2012. No proof of service has been filed. Plaintiffs’ Motion seeking leave to amend does not provide any explanation for their failure to comply with the service requirements. The Court will not use its discretion to grant Plaintiff’s Motion for Leave to Amend when Defendants have not been timely served and where Plaintiffs have provided no indication that they would serve an amended complaint in compliance with this Court’s

1 order. Accordingly, dismissal is appropriate. If Plaintiffs wish to pursue their claims, they are
2 directed to file a new action.

3 Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' Motion for Leave to Amend
4 Complaint (#5) is **DISMISSED**.

5 **IT IS FURTHER ORDERED** that this case is **DISMISSED** without prejudice for failure to
6 timely serve Defendants.

7 DATED this 21st day of August 2012.

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Kent J. Dawson
United States District Judge