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6   UNITED STATES DISTRICT COURT

7   DISTRICT OF NEVADA

8   * * *
)
9   RICHARD LELAND NEAL   )
)
10   Plaintiff,   )   2:12-cv-1352-LRH-VCF
)
11   v.   )
)   ORDER
12   THE BANK OF NEW YORK MELLON   )
     TRUST COMPANY,   )
13   )
                Defendant.   )
14   _____   )

15   Before the court is defendant the Bank of New York Mellon Trust Company's ("Mellon")

16   motion to dismiss. Doc. #11.[1] Pro se plaintiff Richard Leland Neal ("Neal") filed an opposition

17   (Doc. #15) to which Mellon replied (Doc. #17).

18   On July 31, 2012, pro se plaintiff Neal filed a complaint against defendant Mellon for quiet

19   title over real property. *See* Doc. #1. The court has reviewed Neal's complaint and finds that it fails

20   to sufficiently allege a single cause of action upon which relief can be granted. In his complaint,

21   Neal merely sets out the base elements of his claims but fails to allege how defendant Mellon acted,

22   and how Mellon's actions violated the elements of the claims he puts forth. Further, Neal has not

23   even established that he has standing to pursue his claims or how he was a party to the underlying

24   loan transactions. Therefore, the court shall grant Mellon's motion to dismiss. However, because

25   Neal is presenting his claims pro se, the court shall grant him leave to file an amended complaint

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     _____
            [1] Refers to the court's docket number.

1 that sets out specific allegations which support his stated causes of action and establishes his

2 standing to pursue those claims.

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4 IT IS THEREFORE ORDERED that defendant's motion to dismiss (Doc. #11) is

5 GRANTED. Plaintiff's complaint (Doc. #1) is DISMISSED in its entirety.

6 IT IS FURTHER ORDERED that pro se plaintiff Richard Leland Neal shall have thirty (30)

7 days from entry of this order to file an amended complaint.

8 IT IS FURTHER ORDERED that pro se plaintiff's motion to strike (Doc. #19) is DENIED.

9 IT IS SO ORDERED.

10 DATED this 6th day of January, 2013.

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12 _____
    LARRY R. HICKS
13 UNITED STATES DISTRICT JUDGE

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