

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 BERNADETTE GUINN,
5 Plaintiff,
6 v.
7 YELLOW CHECKER STAR, INC.,
8 Defendant.

Case No. 2:15-cv-00344-APG-GWF

**ORDER GRANTING UNOPPOSED
MOTION TO DISMISS AND
GRANTING MOTION TO VACATE
EARLY NEUTRAL EVALUATION**

(ECF Nos. 18, 24)

9
10 Plaintiff Bernadette Guinn initiated this action in February 2015 but did not serve
11 Defendant Yellow Checker Star until May 2, 2017. Yellow Checker moved to dismiss based on
12 untimely service of process. Guinn did not respond. In the meantime, Magistrate Judge Hoffman
13 scheduled an early neutral evaluation. ECF No. 21. Yellow Checker moves to vacate the early
14 neutral evaluation and to grant the unopposed motion to dismiss.

15 I grant Yellow Checker's motion to dismiss as unopposed. *See* LR 7-2(d). Moreover, the
16 motion is meritorious because despite ample time to serve Yellow Checker, Guinn did not do so.
17 She has not shown good cause to extend the service deadline. I therefore grant the motion to
18 dismiss and vacate the early neutral evaluation.

19 IT IS THEREFORE ORDERED that defendant Yellow Checker Star, Inc.'s motion to
20 dismiss (**ECF No. 18**) is **GRANTED**. The amended complaint is dismissed without prejudice for
21 failure to timely effect service of process. The clerk of court is directed to close this case.

22 IT IS FURTHER ORDERED that defendant Yellow Checker Star, Inc.'s motion to vacate
23 the early neutral evaluation (**ECF No. 24**) is **GRANTED**. **The early neutral evaluation**
24 **scheduled for June 20, 2017 before Magistrate Judge Hoffman is VACATED.**

25 DATED this 14th day of June, 2017.

26 

27 ANDREW P. GORDON
28 UNITED STATES DISTRICT JUDGE