

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 RUFINO Q. AQUINO,)
4)
5 Plaintiff,)
6 vs.)
7 PNC BANK NATIONAL ASSOCIATION, et)
8 al.,)
9 Defendants.)

Case No.: 2:19-cv-00929-GMN-VCF

ORDER

10 Pending before the Court is the Motion to Expunge Lis Pendens, (ECF No. 27), filed by
11 Defendant PNC Bank National Association (“PNC”). For the reasons discussed below, the
12 PNC’s Motion to Expunge Lis Pendens is GRANTED.

13 I. BACKGROUND

14 Plaintiff Rufino Aquino (“Plaintiff”) originally filed this lawsuit on May 9, 2019, in state
15 court. (Compl., ECF No. 1-1). PNC subsequently removed to federal court on the basis of
16 diversity jurisdiction. (Pet. Removal, ECF No. 1). On March 11, 2020, the Court entered an
17 Order dismissing this matter with prejudice. (Order, ECF No. 25). Pursuant to said Order, PNC
18 filed the instant Motion. Plaintiff did not file a response, and the deadline to do so has passed.

19 II. DISCUSSION

20 Local Rule 7-2(d) provides that “[t]he failure of an opposing party to file points and
21 authorities in response to any motion, except a motion . . . constitutes a consent to the granting
22 of the motion.” D. Nev. LR 7-2(d). Given Plaintiff’s failure to file an opposition, the Court
23 grants the Motion pursuant to Local Rule 7-2(d).

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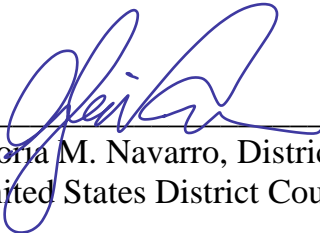
1 **III. CONCLUSION**

2 **IT IS HEREBY ORDERED** that PNC's Motion to Expunge Lis Pendens, (ECF No.
3 27), is **GRANTED**.

4 **IT IS FURTHER ORDERED** the Notice of Pendency of Action or Lis Pendens
5 recorded by Plaintiff in relation to this matter, as Instrument No. 20190819-0001260 as to a
6 certain parcel of real property with Assessor's Parcel No. 177-16-701-011 shall be expunged.

7 **IT IS FURTHER ORDERED** that a copy of this Order may be recorded with the Clark
8 County's Recorder's Office in the applicable chain of title.

9 **DATED** this 20 day of October, 2020.

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13 Gloria M. Navarro, District Judge
14 United States District Court
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