

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LEONARD LUCERO,

Plaintiff,

v.

20-cv-1238 MV/JHR

TRAVELERS COMMERCIAL
INSURANCE COMPANY,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court *sua sponte*. On December 16, 2022, the Court entered a Memorandum Opinion and Order (“Order”) [Doc. 29], in which the Court granted Travelers Commercial Insurance Company’s Motion to Dismiss Plaintiff’s Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) [Doc. 11] but gave Mr. Lucero 45 days within which to file a Rule 15 motion for leave to amend. The Order indicated that if Mr. Lucero did not file such a motion, this action would be dismissed. To date, Mr. Lucero has not filed a motion for leave to amend or otherwise communicated with the Court. More than 45 days have passed since the Order was entered. Accordingly, this action is now subject to dismissal.

IT IS THEREFORE ORDERED that this action is hereby dismissed, and a separate judgment will be entered.



MARTHA VAZQUEZ
Senior United States District Judge