

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

WILMA LEAH COLE,

Plaintiff,

CV-09-702-ST

v.

ORDER DISMISSING CASE WITH  
PREJUDICE

WASHINGTON COUNTY POLICE  
DEPARTMENT, *et al.*,

Defendants.

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MARSH, District Judge:

On June 30, 2009, Magistrate Judge Janice M. Stewart issued an Opinion and Order granting plaintiff's motion to proceed *in forma pauperis* but dismissing her Complaint pursuant to FRCP 12(h)(3) because it did not provide any basis for this court's jurisdiction. Docket #4. Judge Stewart issued the dismissal without prejudice and gave plaintiff 30 days to file an amended complaint. Judge Stewart clearly indicated that if plaintiff failed to file an amended complaint within that time period, the court would dismiss her case with prejudice. The court

mailed a copy of Judge Stewart's Opinion and Order to plaintiff on June 30, 2009. Docket #5.

Plaintiff's 30 days expired on July 30, 2009, and she has not filed an amended complaint.

**ORDER**

Accordingly, this case is DISMISSED, with prejudice.

IT IS SO ORDERED.

DATED this 9<sup>th</sup> day of August, 2009.

/s/ Malcolm F. Marsh  
Malcolm F. Marsh  
United States District Court Judge