

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JAMMIE EDWARD ADKINS, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:09-mc-00214

WILSHIRE CREDIT CORPORATION, et al.,

Defendants.

JAMMIE EDWARD ADKINS, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:10-cv-00314

WILSHIRE CREDIT CORPORATION,

Defendant,

v.

JAMMIE EDWARD ADKINS, et al.,

Debtors.

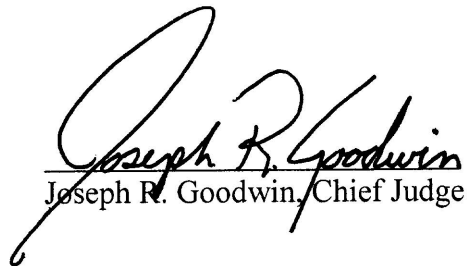
MEMORANDUM OPINION AND ORDER

On March 12, 2010, this court entered a Memorandum Opinion and Order [2:09-mc-214, Docket 3] in Case No. 2:09-mc-214, granting defendant Wilshire Credit Corporation’s Motion to Withdraw Reference of this Adversary Proceeding. Pursuant to the court’s order granting the motion to withdraw reference, the Clerk docketed a separate civil action, Case No. 2:10-cv-314, involving the same parties. No additional activity has occurred in either proceeding since March

12, 2010. The court has been advised by counsel for the defendant that, as a result of an amendment of the pleadings in the adversary bankruptcy proceedings, Wilshire Credit Corporation is no longer a party to the underlying dispute. Accordingly, the court **DISMISSES** without prejudice Case No. 2:09-mc-214 and Case No. 2:10-cv-314 for failure to prosecute.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: December 7, 2010


Joseph R. Goodwin, Chief Judge