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IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
IN AND FOR MIAMI DADE, COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO. 09- 15631-CA-01

INDYMAC FED BANK (FS

Section No. 04

CIVIL DIVISION

Plaintiff(s)

vs.

HOLMES, JUDITH A
JPMORGAN CHASE BANK

Motion, Notice and

Judgment of Dismissal

Defendant(s)

FILED FOR RE
2011 OCT 12 PM 5:24
CLERK, CIRCUIT & COUNTY
MIAMI DADE COUNTY FLA
CIVIL #99

ORDER ON MOTION TO DISMISS
FOR LACK OF PROSECUTION

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THIS CAUSE having come on to be heard pursuant to Rule 1.420 of the Fla.R.Civ.P. and the Court being fully advised in the premises.

☒ THE COURT FINDS that no party opposing the motion to dismiss for lack of prosecution having appeared as ordered and demonstrated the existence of the requisite record activity or that action had been stayed nor having timely filed a showing of good cause in writing, if required, and therefore, in the absence of any evidence to the contrary, the Court finds that (1) notice prescribed by Rule 1.420(e) was timely served; (2) there was no record activity during the 10 months immediately preceding service of the foregoing notice; (3) there was no record activity during 60 days immediately following service of the foregoing notice; (4) no stay has been issued or approved by the Court; and (5) no party has shown good cause why this action should remain pending;

THEREFORE, IT IS ORDERED that this action is dismissed for lack of prosecution.

☐ THE COURT FINDS good cause why this action should remain pending; therefore, IT ORDERED AND ADJUDGED that the Motion to Dismiss for Lack of Prosecution pursuant to Florida Rule of Civil Procedure 1.420(E), is hereby DENIED.

DONE and ORDERED in Chambers at Miami-Dade County, Florida this 10 day of

Oct 20, 11

Gregory A. Briner

Circuit Court Judge

cc: Counsel/Parties of Record

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL. 33128, Telephone (305) 349-7175; TDD (305) 349-7174; Fax (305) 349-7355; at least 7 days before your scheduled court appearance, or immediately upon receiving this notification, if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.