

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RODNEY UNDERWOOD,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 4:23-cv-04405
	§	
COMMUNITY LOAN SERVICING, LLC,	§	
	§	
Defendant.	§	

NOTICE OF NON-FILING

COMES NOW Defendant Community Loan Servicing, LLC (“Defendant”) and hereby files this Notice of Non-Filing to notify the Court that Plaintiff Rodney Underwood (“Plaintiff”) has failed to respond to Defendant’s Motion to Dismiss Complaint (Doc. No. 4) (“Motion to Dismiss”).

On November 21, 2023, Defendant filed its Motion to Dismiss. *See* Doc. No. 4. Pursuant to Local Rule 7.3, Plaintiff’s deadline to respond to the Motion to Dismiss was December 12, 2023 (the “Submission Date”). Plaintiff failed to timely respond to the Motion to Dismiss by the Submission Date, and to date, no response has been filed. Pursuant to Local Rule 7.4, Plaintiff’s failure to respond to the Motion to Dismiss by the Submission Date is “taken as a representation of no opposition.” Therefore, the Court may consider the Motion to Dismiss as unopposed.

WHEREFORE, Defendant prays that the Court grant the Motion to Dismiss and respectfully request such other and further relief to which they may justly be entitled.

Respectfully submitted,

/s/ Elizabeth Hayes

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served upon the following via CMRRR and/or regular mail pursuant to the Federal Rules of Civil Procedure on December 15, 2023.

Rodney Underwood
2221 Wentworth St.
Houston TX 77004
Pro Se Plaintiff

/s/ Elizabeth Hayes

Counsel for Defendant