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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

MICHAEL FRANCO, ) CV 04-5048-UA  
Plaintiff, ) ORDER DISMISSING COMPLAINT  
vs. ) FOR FAILURE TO PROSECUTE  
CCI F. POPADAK, et al., )  
Defendants. )

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On July 15, 2010, the court ordered that pro per plaintiff file with this Court, within twenty days, a detailed and factual report on the status of this litigation.

Plaintiff failed to show cause within twenty days of the date of the July 15, 2010 Order why the action should not be dismissed for failure to diligently prosecute. Moreover, the Court's Order was returned by the prison as undeliverable.

Plaintiff was warned that failure to timely comply with the July 15, 2010 Order would result in the case being dismissed without prejudice. The Complaint is

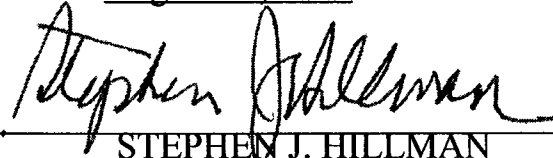
1 dismissed pursuant to Local Rules 41-1 and 41-6.

2 DATED: August 27, 2010

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7 AUDREY B. COLLINS  
8 CHIEF UNITED STATES DISTRICT JUDGE

9 Presented by:

10 Dated: August 24, 2010

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13 STEPHEN J. HILLMAN  
14 UNITED STATES MAGISTRATE JUDGE  
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