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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Michael Lenoir Smith,)	No. CV 1-07-1547-SRB
Plaintiff,)	ORDER
vs.)	
Schwarzenegger, et al.,)	
Defendants.)	

In a October 25, 2010 Order (Doc. 35), the Court gave Plaintiff 30 days to complete and return to the Clerk of Court a Notice of Submission of Documents and submit with the Notice a copy of the Third Amended Complaint, a copy of the Court’s October 25, 2010 Order, a completed summons for each Defendant, and a completed USM-285 for each Defendant. The Court warned Plaintiff as follows:

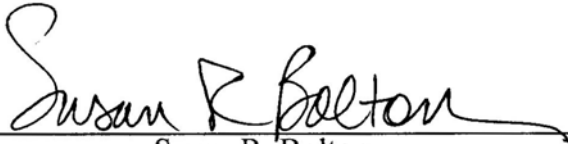
If Plaintiff fails to return the Notice of Submission of Documents and the required documents within 30 days of the date of filing of this Order, the Clerk of Court must, without further notice, enter a judgment of dismissal of this action without prejudice.

More than 30 days have passed since the Court’s October 25, 2010 Order was filed. Plaintiff has not returned the Notice of Submission of Documents and the required documents. In accordance with the Court’s October 25, 2010 Order, the Court will require the Clerk of Court to enter a judgment of dismissal of this case, without prejudice, for failure to comply with the Court’s October 25, 2010 Order.

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IT IS ORDERED that the Clerk of Court must enter a judgment of **dismissal** of this case, **without prejudice**, for failure to comply with the Court's October 25, 2010 Order.

DATED this 16th day of December, 2010.



Susan R. Bolton
United States District Judge