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

ERIC CLAY,

Plaintiff,

No. CIV S-08-0573 KJM

vs.

FAIRFIELD POLICE DEPARTMENT, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner who is proceeding pro se and in forma pauperis. By order filed December 5, 2008, plaintiff was ordered to file an opposition, if any, to defendants' August 6, 2008 Motion to Dismiss within twenty day. The twenty day period has now expired, and plaintiff has not filed an opposition or otherwise responded to the court's order.

Accordingly, IT IS HEREBY ORDERED that this action is dismissed.

DATED: January 29, 2009.



U.S. MAGISTRATE JUDGE

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