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

BRIAN S. SEEFELDT, Plaintiff,) CASE NO. CIV S-08-00928 BJR
v.)) ORDER DISMISSING CASE
SOLANO COUNTY CUSTODY DIVISION, et al. Defendants.)))

By an order filed May 17, 2010, this court instructed Plaintiff to submit to the Clerk of Court, within thirty days, the USM-285 forms necessary to effect service on Defendants. (Dkt. No. 41.) The thirty-day period has expired and Plaintiff has not complied with the court's order. Previously, on December 22, 2009, this action was dismissed due to Plaintiff's failure to submit the USM-285 forms. (Dkt. No. 32.) Plaintiff filed a motion for reconsideration in which he claimed that he had not received the forms from the Clerk's Office. (Dkt. No. 34.) On February 5, 2010, the court granted Plaintiff's motion, instructed the Clerk's Office to resend the requisite forms, and ordered Plaintiff to return the forms by March 8, 2010 or have his case dismissed. (Dkt. No. 35.) On February 22, 2010, Plaintiff requested a two week extension to file the USM-

¹ Plaintiff has not responded to the order in any manner whatsoever.

285 forms. (Dkt. No. 36.) The court granted the motion on March 5, 2010. (Dkt. No. 40.) Once again, Plaintiff failed to comply with the court imposed deadline. The court, *sua sponte*, gave Plaintiff one final thirty-day extension within which to file the forms. However, the court warned Plaintiff that his case would be dismissed with prejudice if he failed to comply with this final deadline. (Dkt. No. 41.)

The thirty-day extension has expired and Plaintiff did not file the USM-285 forms within the specified time. Accordingly, it is HEREBY ORDERED that this case is DISMISSED with prejudice.

DATED this 23rd day of June, 2010.

/s/ Barbara Jacobs Rothstein___

Barbara Jacobs Rothstein U.S. District Court Judge