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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT E. SMITH,

Defendant,

Case No. 3:02-cv-04356-LB

**ORDER OF CONDITIONAL
DISMISSAL**

Given the parties' resolution of their case at ECF No. 23, the court orders that the case be dismissed without prejudice. If any party certifies to the court within **90** days (with proof of service on the opposing party) that the terms have not been satisfied, then this case will be restored to the calendar to be set for further proceedings on the writ. If no certification is filed, then after 90 days, the dismissal will be with prejudice.

IT IS SO ORDERED.

Dated: December 9, 2015



LAUREL BEELER
United States Magistrate Judge