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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT L. TAYLOR,

Plaintiff,

v.

Warden EVANS; et al.,

Defendants.

No. C 08-759 MHP (pr)

**ORDER OF DISMISSAL**

Upon initial review, the court determined that plaintiff's complaint did not state a claim upon which relief may be granted. The court ordered plaintiff to file an amended complaint curing certain deficiencies that the court had described. See Sept. 23, 2008 Order Of Dismissal With Leave To Amend, pp. 3-4. The court cautioned plaintiff that failure to file an amended complaint by the deadline would result in the dismissal of this action. Plaintiff did not file an amended complaint, and the deadline by which to do so has long passed. Accordingly, this action is dismissed for failure to state a claim upon which relief may be granted. The clerk shall close the file.

IT IS SO ORDERED.

DATED: January 20, 2009

  
Marilyn Hall Patel  
United States District Judge