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8 Attorneys for Defendants  
 9 ROGER SOOHOO, sued erroneously as ROBERT SOOHOO, JOHN KAANAHE,  
 JENNIFER BASHAM, RONALD JONES, KEVIN HIROKOSHI, JIM PITTS  
 10 and THE CITY OF ALAMEDA

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

14 CAREY L. JOHNSON, ) Case No.: C08-05456 JSW  
 )  
 15 Plaintiff, ) **APPLICATION FOR AND [PROPOSED]**  
 vs. ) **ORDER OF DISMISSAL OF ENTIRE**  
 16 ) **ACTION**  
 17 ROBERT SOOHOO, et al., ) \_\_\_\_\_  
 )  
 18 Defendants. )  
 )  
 19 )  
 20 )

21 Plaintiff, in a status report dated January 5, 2010, advised the Court that the state criminal  
 22 proceedings against him were dismissed in November 2009, that he was awaiting receipt of a  
 23 dismissal order by the state court, and he would then proceed with this action. [Dkt. #30.]

24 This Court then ordered parties to submit a further status report by January 14, 2011  
 25 indicating how they intended to proceed. [Dkt. #31.] Alameda defendants complied with this order,  
 26 e-filing their status report on January 14, 2011. [Dkt. #32.]

27 The Court then issued an Order to Show Cause in writing by February 18, 2011 why  
 28 plaintiff's claims should not be dismissed for failure to comply with the Court's order [Dkt. #31] and

1 for failure to prosecute, warning plaintiff that a failure to file a written response would cause his  
2 action to be dismissed without prejudice. [Dkt. #33.] Plaintiff failed to respond to the Court's OSC.

3 Alameda defendants therefore request that the Court dismiss this action without prejudice.  
4

5 Dated: April 13, 2011

BERTRAND, FOX & ELLIOT

7 By: \_\_\_\_\_ /s/ \_\_\_\_\_

8 Gregory M. Fox  
9 Attorneys for Defendants  
10 ROGER SOOHOO, JOHN KAANAHE,  
11 JENNIFER BASHAM, RONALD JONES, KEVIN  
12 KIROKOSHI, JIM PITTS  
13 and THE CITY OF ALAMEDA

14 **ORDER**

15 Good cause, appearing, IT IS SO ORDERED. The entire action is dismissed without prejudice.

16  
17 Dated: April 14, 2011 \_\_\_\_\_

18   
19 \_\_\_\_\_  
20 UNITED STATES DISTRICT JUDGE  
21 JEFFREY S. WHITE  
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