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

GARY J. LOMBARDO,)	No. C 09-0206 JSW (PR)
Plaintiff,)	
v.)	ORDER OF DISMISSAL
R. L. AYERS, JR., Warden, E.)	
EVANS, Facility Captain,)	
Defendants.)	

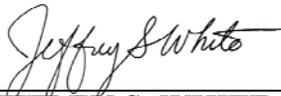
Plaintiff, currently incarcerated at San Quentin State Prison in San Quentin, California, has filed a civil rights complaint under 42 U.S.C. § 1983, regarding his conditions of confinement at the prison. On May 4, 2009, this Court dismissed the amended complaint with leave to file an amended complaint within thirty days of the Court’s order. In the Court’s order, Plaintiff was notified that failure to amend by the designated time would result in a dismissal of the case.

More than thirty days have passed since May 4, 2009 and Plaintiff has not responded to the Court’s order. Accordingly, this case is DISMISSED without prejudice for failure to prosecute and to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See *Link v. Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v. Block*, 932 F.2d 795, 797 (9th Cir. 1991). The Clerk shall close the file and enter

1 judgment in this matter.

2 IT IS SO ORDERED.

3 DATED: June 30, 2009

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6 JEFFREY S. WHITE
7 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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5 GARY J. LOMBARDO,
6 Plaintiff,
7

Case Number: CV09-00206 JSW

CERTIFICATE OF SERVICE

8 v.

9 R.L. AYERS et al,
10 Defendant.
_____ /

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on June 30, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 Gary Joseph Lombardo
18 F03275
19 San Quentin State Prison
20 San Quentin, CA 94974

21 Dated: June 30, 2009


22 Richard W. Wieking, Clerk
23 By: Jennifer Ottolini, Deputy Clerk
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