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5   IN THE UNITED STATES DISTRICT COURT

6   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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8   JOSEPH M. CALDWELL,   ) No. C 09-1775 JSW (PR)
)
                     Plaintiff,   ) **ORDER OF DISMISSAL**
9   )
              v.   )
10   )
        MICHAEL HENNESSEY,   )
11   )
                     Defendant.   )
12   _____   )

13

14   On April 22, 2009, Plaintiff filed a *pro se* civil rights action in this Court. On

15   October 8, 2009, this Court dismissed the complaint with leave to amend within thirty

16   days of the Court's order. In the Court's order, Plaintiff was notified that failure to

17   amend by the designated time would result in a dismissal of the case.

18   More than thirty days have passed since October 8, 2009 and Plaintiff has not

19   responded to the Court's order. Accordingly, this case is DISMISSED without prejudice

20   for failure to prosecute and to comply with a court order pursuant to Federal Rule of

21   Civil Procedure 41(b). *See Link v. Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v.*

22   *Block*, 932 F.2d 795, 797 (9th Cir. 1991). The Clerk shall close the file and enter

23   judgment in this matter.

24   IT IS SO ORDERED.

25   DATED: December 2, 2009

26   *Jeffrey S White*

27   _____
                                            JEFFREY S. WHITE
28   United States District Judge

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF CALIFORNIA

JOSEPH M CALDWELL,	Case Number: CV09-01775 JSW
Plaintiff,	**CERTIFICATE OF SERVICE**
v.	
MICHAEL HENNESSEY et al,	
Defendant.	

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

That on December 2, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Joseph M. Caldwell
2277685
850 Bryant Street
San Francisco, CA 94103

Dated: December 2, 2009

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