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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KENNETH A. SMITH,
Plaintiff,

No. C 09-2381 MHP (pr)

ORDER OF DISMISSAL

v.

SAN QUENTIN STATE PRISON; et al.,
Defendants.

United States District Court
For the Northern District of California

The complaint in this action was dismissed for failure to state a claim upon which relief may be granted. Plaintiff was given leave to file an amended complaint, but failed to do so 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: April 15, 2010


Marilyn Hall Patel
United States District Judge