

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

****E-filed 1/26/2011****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LUIS-ROBERTO: FLORES: GUEVARA,

No. C 10-4423 RS

Plaintiff,

v.

ORDER DISMISSING ACTION

SARA NELSON, et al.,

Defendants.

Plaintiff Luis-Roberto: Flores: Guevara, appearing in *pro se*, filed this action naming as defendants (1) a judge and the executive officer of the Marin County Superior Court, (2) the District Attorney of Marin County and certain of his employees, and (3) a Marin County deputy public defender. The complaint is unclear, but includes a wide-ranging attack on the legitimacy of the Marin Superior Court, and appears to arise from a criminal case prosecuted against plaintiff. Defendants move to dismiss, asserting judicial and prosecutorial immunity, and that the complaint fails to state any cognizable claim for relief. Defendants' arguments are well-taken, and the complaint must be dismissed for those reasons.

Additionally, plaintiff has abandoned prosecution of this action, as evidenced by his failure to respond to the motions to dismiss, and by the fact that no fewer than five Clerk's notices and Court orders mailed to the only address he provided have been returned as undeliverable. Under all these circumstances, no leave to amend is warranted. The dismissal of this action, however, is

1 without prejudice to any cognizable claims plaintiff may have against other persons not named
2 herein for civil rights violations arising from his arrest or detention, and is without prejudice to any
3 claims he may have against the defendant Chellam or any other public defender arising from any
4 legal services provided to him.

5

6 IT IS SO ORDERED.

7

8 Dated: 1/26/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:

Luis-Roberto: Flores: Guevara
c/o non-domestic
GENERAL DELIVERY
NOVATO, CA 94947-9999

DATED: 1/26/11

/s/ Chambers Staff
Chambers of Judge Richard Seeborg