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

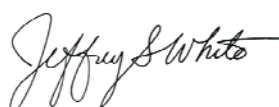
SALVADOR PEREZ,)	No. C 11-2678 JSW (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL;
)	INSTRUCTIONS TO CLERK
v.)	
)	
MATTHEW CATE, et al.,)	
)	
Defendants.)	
_____)	

This case was opened when Plaintiff, a California prisoner proceeding pro se, filed an amended complaint. The caption of the amended complaint indicates that Plaintiff did not intend open a new case, but rather that he wanted to file it in his currently pending case, No. C 10-3730 JSW (PR). Accordingly, the Clerk shall retrieve the amended complaint inadvertently filed in the instant case as docket number 1, and file it in Case No. C 10-3730 JSW (PR). The instant case having been opened in error, is DISMISSED, and the notice of deficiency (docket no. 2) is STRICKEN.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: June 17, 2011



 JEFFREY S. WHITE
 United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 SALVADOR PEREZ,
6 Plaintiff,
7

Case Number: CV11-02678 JSW

CERTIFICATE OF SERVICE

8 v.


9 MATTHEW CATE 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 17, 2011, 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 Salvador Perez
18 J47812
19 Pelican Bay State Prison
20 Crescent City, CA 95532

21 Dated: June 17, 2011


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