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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROB JOSEPH SIMMONS,
Plaintiff,
v.
BELMONT POLICE DEPT., et al.,
Defendants.

Case No. 12-1716 JST (PR)

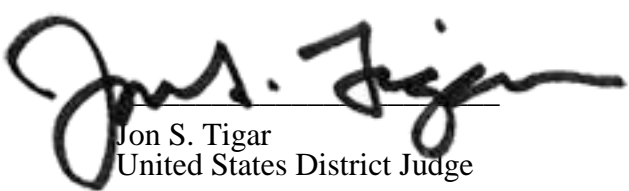
ORDER OF DISMISSAL

Plaintiff, a county jail inmate, filed a pro se civil rights complaint under 42 U.S.C. § 1983. On July 25, 2012, the Court dismissed the complaint with leave to amend, explaining the deficiencies in the complaint that needed to be cured. Plaintiff filed an amended complaint on August 3, 2012. On January 8, 2013, the Court dismissed the amended complaint, finding that it did not cure the deficiencies discussed in the first order of dismissal. The Court directed plaintiff to file a second amended complaint within twenty-eight days. Plaintiff was cautioned that his failure to do so would result in the dismissal of this action. To date, plaintiff has not filed a second amended complaint.

Accordingly, the instant action is DISMISSED without prejudice. The Clerk shall terminate all pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

Dated: March 6, 2013


Jon S. Tigar
United States District Judge