

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

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTONIO CORTEZ BUCKLEY,
Plaintiff,
v.
R. A. KESSLER, et al.,
Defendants.

Case No. 13-cv-01238-JST (PR)

ORDER OF DISMISSAL


On March 20, 2013, plaintiff filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. On September 5, 2013, the Court dismissed plaintiff's complaint with leave to amend because it appears that plaintiff's claims are barred under Heck v. Humphrey, 512 U.S. 477 (1994). The Court directed plaintiff to file an amended complaint within thirty days and notified plaintiff that his failure to file an amended complaint within the Court's deadline would result in the Court dismissing the instant complaint without prejudice pursuant to Heck.

The thirty days to amend has passed, and plaintiff has not filed an amended complaint or otherwise communicated with the Court. Accordingly, the action is DISMISSED without prejudice.

The Clerk shall close the file.

IT IS SO ORDERED.

Dated: October 21, 2013



JON S. TIGAR
United States District Judge