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

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|---------------------------|---|----------------------------|
| BRIAN KEITH STAFFORD,     | ) | No. C 13-3329 JSW (PR)     |
|                           | ) |                            |
| Plaintiff,                | ) | <b>ORDER OF DISMISSAL;</b> |
|                           | ) | <b>GRANTING LEAVE TO</b>   |
| v.                        | ) | <b>PROCEED IN FORMA</b>    |
|                           | ) | <b>PAUPERIS</b>            |
| R.J. DONOVON CORRECTIONAL | ) |                            |
| FACILITY, et al.,         | ) |                            |
|                           | ) |                            |
| Defendants.               | ) | (Docket No. 4)             |

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On July 17, 2013, Plaintiff, a California prisoner, wrote a letter to the Court complaining that his rights were being violated in prison. On the same day, the Clerk notified Plaintiff that he had not filed a complaint. Along with this deficiency notice, the Clerk mailed to Plaintiff the Court's complaint form, instructions for completing the form, and a stamped return envelope. In the notice, Plaintiff was informed that the case would be dismissed if he did not file a complaint within thirty days. *See Valley Forge Christian College v. Americans United for Separation of Church and State, Inc.*, 454 U.S. 464, 471 (1982) (Article III, Section 2 of the United States Constitution restricts adjudication in federal courts to "Cases" and "Controversies"). No complaint or other pleading has been received from Plaintiff. Accordingly, this case is DISMISSED without prejudice to Plaintiff bringing his claims in a new case in which he files a complaint.

1 In light of Plaintiff's lack of funds, his application for leave to proceed in forma  
2 pauperis is GRANTED (docket number 4).

3 The Clerk shall enter judgment and close the file.

4 IT IS SO ORDERED.

5 DATED: October 1, 2013

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8 JEFFREYS. WHITE  
9 United States District Judge  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 STAFFORD,

Case Number: CV13-03329 JSW

6 Plaintiff,

**CERTIFICATE OF SERVICE**

7 v.

8 DONOVON et al,

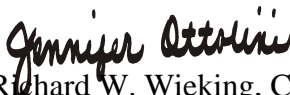
9 Defendant.  
\_\_\_\_\_/

10  
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 October 1, 2013, 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 Brian Keith Stafford  
18 A-5-148  
19 480 Alta Road  
20 #E97271  
21 San Diego, CA 92179

22 Dated: October 1, 2013

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