

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VANCE S. ELLIOT,  
Plaintiff,

v.

THE SAN FRANCISCO DEPARTMENT  
OF PUBLIC HEALTH,  
Defendant.

Case No. [15-cv-03127-MEJ](#)

**ORDER DISMISSING CASE WITH  
PREJUDICE**

On July 6, 2015, Plaintiff Vance S. Elliot filed a Complaint (Dkt. No. 1) and an Application to Proceed In Forma Pauperis (Dkt. No. 3). He also filed a consent to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c) (Dkt. No. 4). On July 10, the Court granted Plaintiff's In Forma Pauperis Application, but dismissed his Complaint for lack of jurisdiction, as diversity between the parties was lacking and he alleged only state law causes of action. Dkt. No. 5. However, the Court permitted Plaintiff the opportunity to file an amended complaint by August 13, 2015, if he could establish jurisdiction. The Court warned that failure to file an amended complaint by this deadline would result in the dismissal of this case with prejudice.

As Plaintiff has failed to file an amended complaint, this case is **DISMISSED WITH PREJUDICE**. The Clerk of Court shall close the file.

**IT IS SO ORDERED.**

Dated: August 18, 2015

  
\_\_\_\_\_  
MARIA-ELENA JAMES  
United States Magistrate Judge

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 18, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Vance S. Elliot  
640 Eddy Street, Room 214  
San Francisco, CA 94109

Dated: August 18, 2015

Richard W. Wieking  
Clerk, United States District Court



By: \_\_\_\_\_  
Chris Nathan, Deputy Clerk to the  
Honorable MARIA-ELENA JAMES