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4   UNITED STATES DISTRICT COURT

5   NORTHERN DISTRICT OF CALIFORNIA

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7   CALVESTER HOUSTON STEWART,
                                                   Case No. 3:16-cv-04312-CRB
          Plaintiff,
8
          v.   **ORDER OF DISMISSAL**
9
     J. BRANNON, #1989,   Re: Dkt. No. 42
10
          Defendant.
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13   The parties hereto, by their counsel, having advised the court that they have agreed to a

14   settlement of this cause, **IT IS HEREBY ORDERED** that this cause of action is dismissed

15   **without** prejudice; provided, however that if any party hereto shall certify to this court, within

16   sixty (60) days, with proof of service thereof, that the agreed consideration for said settlement has

17   not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be

18   restored to the calendar to be set for trial.

19   If no certification is filed, after passage of sixty (60) days, the dismissal shall be **with**

20   prejudice.

21   Dated: July 10, 2018

22   _____

23   CHARLES R. BREYER
     United States District Judge

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CALVESTER HOUSTON STEWART,

Plaintiff,

v.

J. BRANNON, #1989,

Defendant.

Case No. 3:16-cv-04312-CRB

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 July 10, 2018, 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.

Calvester Houston Stewart ID: CDCR No. BF1744
San Quentin State Prison
San Quentin, CA 94974

Dated: July 10, 2018

Susan Y. Soong
Clerk, United States District Court

By:_____
Lashanda Scott, Deputy Clerk to the
Honorable CHARLES R. BREYER

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