

1 Eugene B. Elliot, State Bar No. 111475
 2 Nicole L. Phillips, State Bar No. 306686
 3 BERTRAND, FOX, ELLIOT, OSMAN & WENZEL
 4 The Waterfront Building
 5 2749 Hyde Street
 6 San Francisco, California 94109
 7 Telephone: (415) 353-0999
 8 Facsimile: (415) 353-0990

9 Attorneys for Defendant
 10 CITY OF PITTSBURG

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 ALONZO PARKER,

Case No. 3:17-cv-01563-LB

14 Plaintiff,

~~PROPOSED~~ ORDER OF DISMISSAL OF
 ACTION WITHOUT PREJUDICE

15 v.

16 CITY OF PITTSBURG, PITTSBURG POLICE
 17 DEPARTMENT, and DOES 1 through 20,

18 Defendants.

Hon. Laurel Beeler

19 On July 13, 2017, the court granted the City of Pittsburg’s motion to dismiss the complaint for
 20 failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). (ECF No. 24.) The court gave
 21 Mr. Parker 28 days to file an amended complaint, but he did not do so. On August 25, 2017, the court
 22 further extended Mr. Parker’s time to file an amended complaint to Tuesday, September 12, 2017, but he
 23 did not do so. (ECF No. 25.) Accordingly, the court hereby dismisses this case without prejudice.

24 **IT IS SO ORDERED.**

25 Dated: September 21, 2017

26 
 27 _____
 28 Laurel Beeler
 UNITED STATES MAGISTRATE JUDGE