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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT GONZALEZ SAENZ, K61926,
Plaintiff,
v.
A. SALAZAR, Correctional Officer,
Defendant(s).

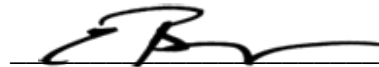
Case No. [17-cv-05316-CRB](#) (PR)

**ORDER DISMISSING MOTION
FOR SUMMARY JUDGMENT
WITHOUT PREJUDICE**
(ECF No. 8)

Plaintiff's motion for summary judgment (ECF No. 8) is DISMISSED without prejudice to re-noticing the motion after defendant or defendant's counsel files an appearance in this case. Plaintiff's service of the notice of motion and motion on the Office of the Attorney General of California is ineffective (or at least premature) because there is no indication at this time that the Office of the Attorney General of California is representing defendant in this case.

IT IS SO ORDERED.

Dated: March 1, 2018



CHARLES R. BREYER
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT GONZALEZ SAENZ,

Plaintiff,

v.

A. SALAZAR,

Defendant.

Case No. 3:17-cv-05316-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 March 1, 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.

Robert Gonzalez Saenz ID: K61926
CTF-C-OW-112 L
Highway 101, North
P.O. Box 689
Soledad, CA 93960

Dated: March 1, 2018

Susan Y. Soong
Clerk, United States District Court

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