

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIE F. STEPHENS,
Plaintiff,
v.
SONOMA VALLEY HOSPITAL,
Defendant.

Case No. [19-cv-00835-VC](#) (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

This is a pro se civil rights action filed by Willie F. Stephens, an inmate at San Quentin State Prison. On June 13, 2019, the court reviewed the complaint and found that the allegations appeared to give rise to a cognizable state law claim of negligence, but they did not state a cognizable federal claim. See ECF No. 4. Because a federal court may only address claims alleging a violation of a right secured by the Constitution or laws of the United States, see 42 U.S.C. § 1983; *West v. Atkins*, 487 U.S. 42, 48 (1988), the court dismissed the complaint with leave to amend for Stephens to file an amended complaint curing the noted deficiencies. *Id.*

On July 22, 2019, the court granted Stephens' motion for an extension of time to file an amended complaint. ECF No. 6. The amended complaint was due on August 19, 2019. This date has past and Stephens has not filed an amended complaint.

Accordingly, this complaint is dismissed without prejudice to filing in state court, if Stephens wishes to do so.

The Clerk shall issue a separate judgment and close the file.

IT IS SO ORDERED.

Dated: October 3, 2019



VINCE CHHABRIA
United States District Judge