

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3  
4 TERENCE LEWIS, BP4086,

5 Plaintiff,

6 v.

7 JOHN DOE 1, WARDEN SAN QUENTIN  
8 STATE PRISON, et al.,

9 Defendant(s).

Case No. [24-cv-00930-CRB](#) (PR)

**ORDER OF DISMISSAL**

10 On June 20, 2024, the court (Cousins, M.J.) granted plaintiff leave to amend within 28  
11 days “to attempt to correct the deficiencies discussed” in the court’s order. ECF No. 11 at 5. The  
12 court specifically warned plaintiff that “[f]ailure to respond in accordance with this order in the  
13 time provided will result in this matter being reassigned to a district judge with the  
14 recommendation that this matter be dismissed with prejudice for failure to state a cognizable claim  
15 for relief.” Id.

16 On July 15, 2024, the copy of the court’s June 20, 2024 order the clerk mailed to plaintiff  
17 was returned as undeliverable for lack of sufficient postage. See ECF No. 12. Another copy was  
18 mailed again to plaintiff with sufficient postage the next day, July 16, 2024.

19 On August 28, 2024, this case was reassigned to the undersigned district judge because  
20 plaintiff has not responded to the court’s June 20, 2024 order. In fact, it has been more than 42  
21 days since the clerk mailed the court’s June 20, 2024 order to plaintiff with sufficient postage and  
22 plaintiff still has not filed an amended complaint or sought an extension of time to do so. The  
23 instant action accordingly is DISMISSED.

24 The clerk is instructed to close the file and terminate all pending motions as moot.

25 **IT IS SO ORDERED.**

26 Dated: August 29, 2024

27 

28 CHARLES R. BREYER  
United States District Judge