

1
2
3 THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5

6 SELOMI M. VILLALTA,

No. C 06-4087 SBA

7 Plaintiff,

ORDER

8 v.

9 EMILIA BARDINE, Director San
10 Francisco Asylum Office,

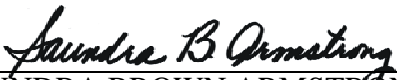
11 Defendant.
_____ /

12
13 On June 30, 2006, plaintiff filed a complaint [Docket No. 1] and a Motion for Leave to Proceed
14 in forma pauperis [Docket No. 3]. On August 9, 2006, this Court denied plaintiff's Motion for Leave
15 to Proceed in forma pauperis and dismissed the complaint for failure to state a claim [Docket No. 4].
16 On June 29, 2007, plaintiff filed an amended complaint [Docket No. 7]. Because no defendant had been
17 served pursuant to Rule 4 of the Federal Rules of Civil Procedure because a summons had not been
18 issued in this case, *see* Fed. R. Civ. P. 4(c), on June 11, 2008, the Court ordered plaintiff to appear on
19 July 9, 2008 and show cause why the above-captioned case should not be dismissed without prejudice
20 for failure to prosecute [Docket No. 9].

21 On July 9, 2008, plaintiff's alleged daughter appeared at the hearing pursuant to the order to
22 show cause and advised the Court that the plaintiff had been deported [Docket No. 11]. Accordingly,
23 this action is DISMISSED without prejudice for failure to prosecute. The Clerk of Court is directed to
24 CLOSE the case file and any pending matters related to it. All matters calendared in this matter and all
25 related matters are VACATED

26 IT IS SO ORDERED.

27 Dated: 9/2/08

28

SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SELOMI M. VILLALTA,
Plaintiff,

Case Number: CV06-04087 SBA

CERTIFICATE OF SERVICE

v.

EMILIA BARDINI et al,
Defendant.

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 September 3, 2008, 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.

Selomi M. Villalta
P.O. Box 11251
San Rafael, CA 94912

Dated: September 3, 2008

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk