

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUAN VILLA RAMIREZ,
Plaintiff,
v.
JAMES TILTON, et al.,
Defendants.

No. C 07-04681 SBA (PR)

ORDER DISMISSING ADA AND SECTION 504 CLAIMS AGAINST DEFENDANTS SQSP AND CDCR

On April 15, 2010, the Court issued an "Order on Review of Complaint; and Directing Plaintiff to File Proof of Service or Show Cause." The Court directed Plaintiff to amend his ADA and Section 504 claims¹ against Defendants San Quentin State Prison (SQSP) and the California Department of Corrections and Rehabilitation (CDCR). The Court gave Plaintiff until April 5, 2010 to file an amendment to the complaint. He was warned the failure to do so would result in dismissal of his ADA and Section 504 claims without prejudice.

On April 15, 2010, the Court granted Plaintiff an extension of time to file an amendment to the complaint. Therefore, Plaintiff had until May 10, 2010 to file an amendment to the complaint. Plaintiff was again warned that the failure to do so would result in dismissal of his ADA and Section 504 claims without prejudice. The time to file the amendment to the complaint has passed, and Plaintiff has failed to do so. Accordingly,

IT IS HEREBY ORDERED that the ADA and Section 504 claims against Defendants SQSP and the CDCR are dismissed without prejudice.

IT IS SO ORDERED.

DATED: 5/17/10


SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

¹ Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq., and Section 504 of the Rehabilitation Act of 1973, as amended and codified in 29 U.S.C. § 794(a), prohibit discrimination on the basis of disability in the programs, services or activities of a public entity.

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JUAN VILLA RAMIREZ,
Plaintiff,

Case Number: CV07-04681 SBA

CERTIFICATE OF SERVICE

v.

JAMES TILTON 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 May 21, 2010, 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.

Juan Villa Ramirez T-24667
California State Prison - San Quentin
2 A/C 6
San Quentin, CA 94974

Dated: May 21, 2010

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