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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES DOUGLAS,

Plaintiff,

No. C 07-5380 PJH (PR)

vs.

ORDER OF DISMISSAL

R. S. MARQUEZ, et al.,

Defendants.

This is a civil rights case filed pro se by a state prisoner. The court ordered plaintiff to show cause why this case should not be dismissed as barred by *Heck v. Humphrey*, 512 U.S. 477, 486-487 (1994), and later twice extended the time to do so. The most recent extension expired on June 29, 2009, but plaintiff has not filed a response. Because it appears on the face of the complaint that it is barred by *Heck*, and because plaintiff has not shown anything to the contrary, this case is **DISMISSED** without prejudice. The clerk shall close the file.

IT IS SO ORDERED.

Dated: July 13, 2009.



PHYLLIS J. HAMILTON
United States District Judge