

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

WILLIAM L. EVINS,
Plaintiff,
v.
BEN CURRY, Warden, et al.,
Defendants.

No. C 08-02537 CW (PR)
ORDER DISMISSING SUPERVISORY
LIABILITY CLAIM AGAINST
DEFENDANT CURRY

On December 4, 2008, the Court issued an Order of Service and directed Plaintiff to amend his supervisory liability claim against Defendant Curry. The Court gave Plaintiff until January 5, 2009, to file an amendment to the complaint. Failure to do so would result in dismissal of his supervisory liability claim 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 supervisory liability claim against Defendant Curry is dismissed without prejudice.

IT IS SO ORDERED.

Dated: 1/28/09



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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

4 WILLIAM L. EVINS,
5 Plaintiff,

Case Number: CV08-02537 CW

CERTIFICATE OF SERVICE

6 v.

7 BEN CURRY et al,
8 Defendant.

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on January 28, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 William L. Evins
16 D14797
17 P.O. Box 689
18 Soledad, CA 93960

Dated: January 28, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk