

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

RUSTY ALAN SIMS,
Plaintiff,

v.

LEONARD F. PUGGIO, et al.,
Defendants.

No. C 09-02519 SBA (PR)

**ORDER DIRECTING PLAINTIFF TO
CLARIFY IF HE WISHES TO
VOLUNTARILY DISMISS THIS ACTION**

Before the Court is Plaintiff's motion to dismiss this action. Also before this Court is Plaintiff's motion entitled, "Motion Requesting that Plaintiff's Motion to Dismiss Case Be Dismissed and to Modify Plaintiff's Payments Under In Pauperis [sic] Status."

On August 6, 2010, Plaintiff filed a letter with the Court inquiring about whether he could "drop[] his case."

At present, it is not clear to the Court whether Plaintiff wishes to proceed with this action. Accordingly, no later than **thirty (30) days** from the date of this Order, the Court directs Plaintiff to file either a renewed motion to voluntarily dismiss this action or a clear statement explaining that he wishes to proceed with this action.

IT IS SO ORDERED.

DATED: 9/23/10


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RUSTY ALAN SIMS,
Plaintiff,

Case Number: CV09-02519 SBA
CERTIFICATE OF SERVICE

v.

LEONARD F PUGGIO 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 23, 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.

Rusty Alan Sims T-75226
California State Prison - San Quentin
San Quentin, CA 94964

Dated: September 23, 2010

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