Muhammad v. People of California et al Doc. 137

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JAMES KARIM MUHAMMAD,

Plaintiff,

vs.

PEOPLE OF CALIFORNIA, JEFFREY STARK, BOB CONNER, CYNTHIA CONEJO, and DOES 1-10,

Defendants.

Case No.: C-10-01449 YGR

ORDER DENYING MOTION FOR LEAVE TO FILE A MOTION FOR SUMMARY JUDGMENT; DENYING AS MOOT MOTION FOR SUMMARY JUDGMENT AND MOTION TO SHORTEN TIME FOR HEARING; AND DISMISSING PEOPLE OF CALIFORNIA FOR FAILURE TO SERVE

Plaintiff's Request to file a Motion for Summary Judgment is **DENIED**. Plaintiff's Motion for Judgment on the Pleadings, Motion for Summary Judgment; and Plaintiff's *Ex Parte* Motion to Shorten the Time to Hear the Motion are both **DENIED AS MOOT**.

Additionally, the Court will dismiss the People of California from this action for failure to serve. Judge Armstrong previously found Plaintiff's attempt to serve the People of California inadequate. Dkt. No. 62. By Order dated March 10, 2011, Judge Armstrong directed Plaintiff to effect service on the People of California and to file a Certificate of Service with the Court. Plaintiff was warned that if he failed to file a certificate of service within fourteen days, the People of California would be dismissed from the action without prejudice. Plaintiff has not filed a Certificate of Service to demonstrate service on the People of California subsequent to that Order. Accordingly, the People of California are **DISMISSED WITHOUT PREJUDICE**.

This Order Terminates Docket Numbers 123, 124, and 128.

IT IS SO ORDERED.

March 19, 2012

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE

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