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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

FRANK LEE,

Plaintiff,

No. C 13-3367 PJH (PR)

vs.

**ORDER OF DISMISSAL**

OFFICER M. PHILLIPS, et. al.,

Defendant.

\_\_\_\_\_ /

This is a civil rights case filed pro se by a prisoner. In the initial review order the court found that plaintiff had failed to state a claim and dismissed the complaint with leave to amend after discussing the deficiencies of the complaint. The time to amend has passed and plaintiff has not filed an amended complaint or otherwise communicated with the court. This case is **DISMISSED** for failure to state a claim upon which relief can be granted.

**IT IS SO ORDERED.**

Dated: November 5, 2013.



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PHYLLIS J. HAMILTON  
United States District Judge

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**United States District Court**  
For the Northern District of California