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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KENNETH BUTLER,
Plaintiff,
v.
UNKNOWN,
Defendant.

Case No. [16-cv-07166-KAW](#) (PR)

**ORDER ADMINISTRATIVELY
CLOSING CASE**

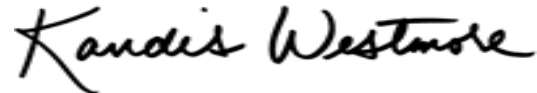
On December 15, 2016, Plaintiff, a state prisoner proceeding *pro se*, submitted a letter to the Court complaining of prison conditions which was construed as an attempt to file a civil rights action under 42 U.S.C. § 1983. The same day, the Clerk of the Court sent Plaintiff a notice that he must file a complaint using the Court’s form complaint within twenty-eight days from the filing date of the notice to avoid dismissal. (Docket No. 2.) Plaintiff was provided with a blank copy of the form complaint.

On January 19, 2017, Plaintiff responded with a letter to the Court, stating that he did not intend to file a civil rights action. (Docket No. 5.)

Good cause appearing, the Clerk shall ADMINISTRATIVELY CLOSE this case. Because this case was opened in error, the Clerk of the Court shall not charge a filing fee.

IT IS SO ORDERED.

Dated: February 23, 2017



KANDIS A. WESTMORE
United States Magistrate Judge