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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHARLES RAY CATHY,  
Plaintiff,  
  
v.  
  
K. HOOD, et al.,  
Defendants.

Case No. [19-cv-05932-PJH](#)

**ORDER OF DISMISSAL**

Plaintiff, a state prisoner, proceeds with a pro se civil rights complaint under 42 U.S.C. § 1983. On December 22, 2020, the court granted defendants' motion for summary judgment and dismissed two claims as unexhausted and granted defendants' motion to dismiss for plaintiff's two remaining claims. The two claims in the motion to dismiss were dismissed with leave to amend. The court discussed the deficiencies of the claims and provided plaintiff until February 1, 2021, to file a second amended complaint. The time to file a second amended complaint has passed and plaintiff has not submitted a second amended complaint or otherwise communicated with the court. The case is **DISMISSED** for the reasons set forth in the prior order. The clerk shall close this case.

**IT IS SO ORDERED.**

Dated: February 17, 2021

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON  
United States District Judge