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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NICACIO FLORES VILLALOBOS,  
Plaintiff,  
v.  
GEORGE ANTHONY BARTON, et al.,  
Defendants.


Case No. [24-cv-02184-JST](#)

**ORDER OF DISMISSAL**

Plaintiff filed this *pro se* civil rights action. On November 18, 2024, the Court dismissed the complaint with leave to amend, finding *inter alia* that the complaint was incomprehensible and did not allege a violation of federal law or the federal constitution. ECF No. 15. The Court ordered Plaintiff to file an amended complaint by December 16, 2024, or face dismissal of this action. *Id.* The deadline to file an amended complaint has passed, and Plaintiff has neither filed an amended complaint nor communicated with the Court. Accordingly, the Court DISMISSES this action for failure to state a claim for relief. The dismissal is without prejudice to filing a motion to reopen, accompanied by a proposed amended complaint that addresses the deficiencies identified in the Court’s November 18, 2024 Order, and explaining why Plaintiff failed to timely file an amended complaint. Judgment is entered in favor of Defendants and against Plaintiff. The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Dated: January 8, 2025

  
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JON S. TIGAR  
United States District Judge