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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENNIS G. COPELAND,
Plaintiff,

v.

SAN BENITO COUNTY CORRECTIONS
BUREAU,
Defendant.

Case No. [24-cv-05228-HSG](#)

ORDER OF DISMISSAL

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. ECF No. 1. On October 17, 2024, the Court found that the complaint failed to state a claim for relief, dismissed the complaint with leave to amend, and ordered Plaintiff to file an amended complaint by November 14, 2024, or face dismissal of this action. Dkt. No. 12. On November 4, 2024, the Court’s October 17, 2024 Order was returned to the Court as undeliverable, with a notation that Plaintiff was no longer in custody. Dkt. No. 14.

The deadline to file an amended complaint has passed, and Plaintiff has neither filed an amended complaint nor communicated further with the Court. The Court is unaware of Plaintiff’s current location. Accordingly, the Court DISMISSES this action because the complaint fails to state a cognizable claim for relief as detailed in the Court’s October 17, 2024 Order and because Plaintiff has not filed an amended complaint that addresses the identified deficiencies. 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 October 17, 2024 Order, and explaining why Plaintiff failed to timely file an amended complaint.

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For the reasons set forth above, the Court DISMISSES this action without prejudice.
Judgment is entered in favor of Defendant and against Plaintiff. The Clerk is directed to close the
file.

IT IS SO ORDERED.

Dated: 11/26/2024


HAYWOOD S. GILLIAM, JR.
United States District Judge