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E-FILED - 3/18/09

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT PRESTON,)	No. C 06-5175 RMW (PR)
)	
Plaintiff,)	JUDGMENT
)	
vs.)	
)	
OFFICER HAND, et al.,)	
)	
Defendants.)	
_____)	

The court granted defendants' motion to dismiss the instant civil rights complaint for relief, which was brought pursuant to 42 U.S.C. § 1983. Defendants are entitled to judgment as a matter of law as to all federal claims. Judgment is hereby entered in favor of defendants. Plaintiff shall take nothing by way of his complaint, which is DISMISSED. Plaintiff's state tort claim is DISMISSED WITHOUT PREJUDICE.

The clerk shall close the file.

IT IS SO ORDERED.

DATED: 3/16/09



 RONALD M. WHYTE
 United States District Judge