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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL MUTAWALLY)	No. C 07-05417 JF (PR)
COOPERWOOD,)	ORDER OF DISMISSAL
Plaintiff,)	
v.)	
ROBERT TILTON, et. al.,)	
Defendants.)	


Plaintiff, a California prisoner incarcerated at the Pelican Bay State Prison (“PBSP”), filed in pro se the instant civil rights action pursuant to 42 U.S.C. § 1983 against PBSP prison officials. The Court granted Defendants’ motion to dismiss, such that only the claims against unserved Defendant Bob McKinney remained. (Docket No. 80.) The Litigation Office at PBSP notified the Court that Defendant McKinney passed away in 2009. (See Docket No. 81.) On May 11, 2010, the Court ordered Plaintiff to provide proof of service on the estate or representative of deceased Defendant McKinney or provide the Court with accurate current information for the same. Plaintiff filed a motion for extension of time which the Court granted, such that Plaintiff had until July 11, 2010, to file the necessary information with this Court. Plaintiff was advised that

1 failure to provide information for Defendant McKinney would result in the dismissal
2 without prejudice of all claims against this defendant. (See Docket No. 87 at 2.) The
3 deadline has since passed, and Plaintiff has failed to comply.

4 Accordingly, Plaintiff's claims against Defendant McKinney are DISMISSED
5 without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

6 IT IS SO ORDERED.

7
8 DATED: 8/31/10

9 
10 _____
11 JEREMY FOGEL
12 United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL MUTAWALLY COOPERWOOD,
Plaintiff,

Case Number: CV07-05417 JF

CERTIFICATE OF SERVICE

v.

ROBERT TILTON, et al.,
Defendants.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 8/31/10, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael Mutawally Cooperwood C-46411
Pelican Bay State Prison
P.O. Box 7500
D1-214
Crescent City, CA 95532

Dated: 8/31/10

Richard W. Wieking, Clerk