

United States District Court  
For the Northern District of California

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E-FILED on 07/06/2011

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

ROBERT BECKETT,  
  
Plaintiff,  
  
v.  
  
JAMES DAVIS, et al.  
  
Defendants.

No. C-08-03196 RMW  
  
ORDER DISMISSING CASE WITHOUT  
PREJUDICE

On May 24, 2011, the court issued an Order to Show Cause. The court asked plaintiff to respond in writing by June 7, 2011 as to why his case should not be dismissed for failure to prosecute. Plaintiff responded that part of his prayer for relief was moot because he had been granted a new suitability hearing scheduled for August 18, 2011 before the California Board of Parole Hearings. Dkt. No. 5. Plaintiff also requested that his complaint be dismissed without prejudice. Accordingly, the court hereby dismisses the case without prejudice.

DATED: 07/06/2011

*Ronald M Whyte*  
RONALD M. WHYTE  
United States District Judge